ANNEXES

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HOUSE OF REPRESENTATIVES
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Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

ANNEX "A"

COMMITTEE ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY

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Legislative Archives and Museum Management Service
Marivic M. Pareja
Service Director
Date: 07 April 2026
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DATE	:	25 November 2024
TIME	:	10:00 A.M.
VENUE	:	Second Floor People's Center Building House of Representatives Batasan Hills, Quezon City

REP. JOEL R. CHUA	**- CHAIRPERSON**
ATTY. SHERYL CHRISTINE V. LAGROSAS	- ACTING COMMITTEE SECRETARY

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The meeting was called to order at 10:24 a.m.

THE CHAIRPERSON. The Committee hearing of the Committee on Good Government and Public Accountability is now called to order.

Let us all stand up for the invocation to be led by the Committee Secretary.

THE ACTING COMMITTEE SECRETARY. Let us put ourselves in the presence of the Lord. In the name of the Father and of the Son and of the Holy Spirit. Amen.

Heavenly Father, we come before You today with humble hearts as we begin this congressional investigation. We ask for your guidance and wisdom as we seek the truth and uphold the values of transparency, justice, and accountability in governance. Bless each Member of this Committee with clarity of mind and integrity of spirit and a sincere dedication to the common good. Grant us the courage to ask the right questions, the patience to listen with discernment, and the wisdom to act in ways that honor the trust of the people we serve. Lord, we lift up to you our nation and all those who are affected by the deliberations that we will hold today. May this hearing be a step towards restoring confidence and public institutions and ensuring that the governance remains a tool for the welfare and progress of all. Guide us, O Lord, so that in all we do, Your will be done and Your justice be reflected in all our actions, for yours is the kingdom, the power, and the glory, now and forever. Amen.

In the name of the Father, the Son, the Holy Spirit. Amen.

THE CHAIRPERSON. Please remain standing for the singing of our national anthem.

Playing/singing of the Philippine national anthem

THE CHAIRPERSON. Please be seated.

Let us now proceed to the calling of the roll. Do I hear a motion to dispense with the calling of the roll?

REP. ROMEO M. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. I respectfully move that we dispense with the calling of the roll. So moved, Mr. Chair.

REP. DAVID "JAY-JAY" C. SUAREZ. Second.

THE CHAIRPERSON. Is there second to the motion?

REP. SUAREZ. Second.

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REP. JEFFERSON F. KHONGHUN. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

We will now proceed to the acknowledgment of Members and the recognition of guests as well as resource persons and witnesses. May I request the Secretariat to please recognize our distinguished Members and acknowledge resource persons and guests.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

May we recognize the following House Members, Honorable David "Jay-Jay" C. Suarez, Deputy Speaker, from the 2nd District of Quezon; Honorable Francisco Paolo Ortega V from the 1st District of La Union; Honorable Rolando M. Valeriano from the 2nd District of Manila; Honorable Gerville "Jinky Bitrics" R. Luistro from the 2nd District of Batangas; Honorable Arlene D. Brosas from the GABRIELA Party List; Honorable Romeo M. Acop, Vice Chairperson, from the 2nd District of Antipolo City; Honorable Jefferson F. Khonghun, Vice Chairperson, from the 1st District of Zambales; Honorable Raul Angelo "Jil" D. Bongalon from AKO BIKOL Party List; Honorable Dan S. Fernandez from the Lone District of Sta. Rosa City; Honorable Patrick Michael Vargas from the 5th District of Quezon City; Honorable Yasser Alonto Balindong, Deputy Speaker, from the 2nd District of Lanao del Sur; Honorable France L. Castro, Deputy Minority Leader, from ACT TEACHERS Party List; Honorable Lorenz R. Defensor, Deputy Majority Leader, from the 3rd District of Iloilo; Honorable Joseph Stephen "Caraps" S. Paduano from ABANG LINGKOD Party List; Honorable Drixie Mae S. Cardema from DUTERTE YOUTH Party List; Honorable Rodante D. Marcoleta from SAGIP Party List; Honorable Ronald V. Singson from the 1st District of Ilocos Sur.

Your Honors, may I also recognize the presence of our Sergeant-at-arms Napoleon C. Taas and our House Secretary General, Honorable Reginald S. Velasco.

Moving on to our invited witnesses, resource persons, and guests, from the Office of the Vice President, we have present today, Mr. Edward D. Fajarda with the OVP and former SDO or Special Disbursing Officer of DEPED; Atty. Sunshine Charry A. Fajarda, former Assistant Secretary of DEPED and now with the Office of the Vice President; Mr. Lemuel G. Ortonio, Assistant Secretary or/and Assistant of Chief of Staff; Ms. Winnie G. Dayego, Chief of Public Assistance Division; Atty. Rosalynne L.

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Sanchez, Director for Administrative and Financial Services; Mr. Norman B. Baloro, Director for Operations Office; Mr. Chris G. Sorongon, Lead, Panay and Negros Islands Satellite Office; Ms. Regina Rosa D. Tecson, Lead, Davao Satellite Office; Mr. Allan P. Tanjuakio, Lead, Eastern Visayas Satellite Office; Ms. Gina F. Acosta, Special Disbursing Officer; Ms. Julieta Villadelrey, Chief Accountant; Mr. Kelvin Gerome L. Teñido, Chief Administrative Officer; Ma. Edelyn A. Rabago, OIC-Budget Division.

May I also request the counsel of the four, Mr. Ortonio, Atty. Fajarda, Mr. Fajarda and Ms. Gina F. Acosta, to please make your entry of appearance.

MR. ANEL MARTIN S. ANTERO (Counsel for Mr. Lemuel Ortonio, Ms. Gina Acosta, Atty. Rosalynne Sanchez, and Ms. Julieta Villadelrey). Good morning, Mr. Chair, Honorable Members of this Committee. I am Atty. Anel Martin Antero and I represent Assistant Secretary Lemuel Ortonio and Ms. Gina Acosta. Apart from that, I also represent Atty. Lynne Sanchez and Ms. Julieta Villadelrey, Your Honors. Good morning.

MS. JOCELYN G. GABRIEL (Legal Counsel for Mr. Edward D. Fajarda and Ms. Sunshine Charry A. Fajarda). Good morning...good morning, Mr. Chair, Members of the House. Your Honors. I am Atty. Jocelyn Geriel Gabriel. I am representing Mr. Edward Fajarda and Atty. Sunshine Fajarda.

THE ACTING COMMITTEE SECRETARY. Thank you. May I continue. With the Office of the Atty. Ino Trinidad; Atty. Leandro Resurreccion IV; Mr. Chester I. Tajonera; Ms. Ma. Rowena M. Corpuz; Mr. Ian Christopher M. Cruz; Ms. Chimberly Ann S. Palacio; Ms. Jaira Mara Lagdameo Madrona; Ms. Jodessa Salindato.

From the Vice Presidential Security and Protection Group, may I recognize Colonel Raymund Dante Lachica,

May I please request the counsel of Colonel Lachica to please make your entry of appearance.

MR. JAMES MARK P. CIUNDADANO (Legal Counsel for Mr. Raymund Dante P. Lachica). Good morning, Mr. Chair, Your Honors. I'm Atty. James Mark Padrono Ciundadano as...entering my appearance as counsel for Colonel Lachica. Thank you.

THE ACTING COMMITTEE SECRETARY. Thank you.

May I recognize Honorable Marie Bernadette G. Escudero from the 1st District of Sorsogon.

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Moving on to the Commission on Audit, we have here Atty. Gloria A. Camora, Attorney V from ICFAO; Ms. Xylene Mae L. Del Campo, State Auditor from ICFAO; Mr. Fahad Bin Abdulmalik Tomawis, State Auditor for OVP; Ms. Zarah Jane M. Fegalan, State Auditor, NGAS; Atty. Erwin E. Lapitan; Ms. Imelda G. Celso; Ms. Melinda S. Torio; Ms. Melanie Julie R. Salazar; and Atty. Douglas Michael N. Mallillin, Director IV for ICFAO.

For DEPED, we have here present Undersecretary Gerard L. Chan, Undersecretary for Procurement; Retired Major General Nolasco Mempin, former Undersecretary; Brigadier General Noel Baluyan; Atty. Reynold Munsayac; Ms. Maria Teresa Fulgar, Chief Administrative Officer of Procurement; Ms. Christine G. Altea, Administrative Officer for Contract Management Division; Atty. Michael Wesley T. Poa, former spokesperson and head of Procuring Entity; Mr. Janir T. Datukan, Assistant Secretary for Curriculum and Teaching; Ms. Neriesse Anne B. Casitas; Atty. Thea Jane Merin.

From the Bureau of Immigration, Atty. Vicente G. Uncad.

From the Land bank, Asst. Vice President Nenita Camposano; Ms. Jean Abaya, Acting Department Manager of the Shaw Blvd. Branch; Ms. Princez Queen Star B. Andal—pardon me—Teller, Shaw Blvd. Branch; Ms. Jojie Gamay...

(MS. RHUPA D. RAMIL TOOK OVER)

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THE ACTING COMMITTEE SECRETARY. (Continuing)...Ms. Jojie Gamay, Teller for the DEPED Branch; Mr. Crisanto Lorena, Guard for this DEPED Branch; Ms. Violeta Constantino, former Branch Manager and retired of the Shaw Boulevard Branch; and Mr. Nino Borra, Head Guard.

May I also recognize, Your Honor, Honorable Mikaela Angela B. Suansing from the 1st District of Nueva Ecija. That's it.

If there are any resource persons who have not been recognized, please go to the mic and recognize yourself, and include your agency and designation.

Thank you, Your Honor.

THE CHAIRPERSON. Thank you, ComSec.

We will now proceed to the approval of the minutes of the previous meeting.

Moving on, we have the minutes of the November 11, 2024 meeting. Do I hear a motion?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. May I move that we dispense with the reading of the minutes of the previous meeting and consider it as approved. So moved, Mr. Chair.

REP. FRANCISCO PAOLO P. ORTEGA V. Second.

THE CHAIRPERSON. Is there any second to the motion? Duly seconded. Is there any objection? Hearing none, the motion is carried.

THE ACTING COMMITTEE SECRETARY. Your Honor, may I also request the counsel of Mr. Kelvin Tenido to please make your entry of appearance.

THE CHAIRPERSON. Counsel.

MS. CATHERINE NICOLE C. SY (Legal Counsel for Mr. Kelvin Gerome L. Tenido and Ms. Ma. Edelyn A. Rabago). Good morning, Your Honors. I am Atty. Catherine Nicole Sy, representing Kelvin Tenido and Edelyn Rabago. Thank you, Your Honors.

THE CHAIRPERSON. Thank you.

Moving on...

REP. RODANTE D. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. Congressman Marcoleta.

REP. MARCOLETA. May I respectfully seek guidance from the Chair.

THE CHAIRPERSON. Yes, please.

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REP. MARCOLETA. Earlier, Mr. Chair, my staff...I instructed my staff to include my name in the list of interpellators, and the ComSec said that it is not possible that my name be included. She was asked whether there is some basis for this in our rules. What is the basis of the ComSec's answer, Mr. Chair?

THE CHAIRPERSON. *I will include you, Congressman Marcoleta. Don't worry.*

REP. MARCOLETA. Thank you.

THE CHAIRPERSON. Thank you.

REP. MARCOLETA. Thank you.

THE CHAIRPERSON. Magandang umaga po sa lahat.

Before we continue with our inquiry, nais ko po balikan nang kaunti ang mga pangyayari mula sa ating huling pagdinig dito noong nakaraang araw.

Maalala po natin na sa ating nakaraang hearing, nagkaroon po ng resolution ang ating Committee na patawan ng contempt si Atty. Zuleika T. Lopez, Chief of Staff of the Office of the Vice President, on the ground po that she has unduly interfered with the conduct of this proceedings. While Atty. Lopez presented herself as respectful or courteous, nakita po ng Committee na ang kanyang mga sagot at mga pagkilos mula noong mag-umpisa ang inquiry na ito ay evasive, uncooperative and untruthful. Ang suma tutal at kabuuan ng kanyang mga acts and responses ultimately convinced the Committee that Atty. Lopez was guilty of interfering in and frustrating Congress' exercise of its power of legislative inquiry. Halimbawa, isolated incident. Isolated incident lang raw ang kanyang pagtanggal kay Usec. Gloria Mercado sa DEPED. Subalit napaamin rin siya kalaunan na may mga iba pa siyang mga tinanggal na opisyal sa DEPED kahit na hindi siya opisyal nito. Paulit-ulit din pong sinasabi ni Atty. Lopez na wala siyang alam sa utilization ng confi funds ng OVP. Paulit-ulit ito na sagot, subalit may mga dokumento at ebidensya kagaya na lamang ng mga sulat sa COA at testimonya mismo ng iba pa nating resource persons na nagtuturo kay Atty. Lopez bilang involved, hindi lang sa pag-request ng confidential funds, kundi pati na rin sa utilization at liquidation nito.

Inamin ni Atty. Lopez na sila ng kanyang Assistant COS na si Lemuel Ortonio ang nakalagda sa sulat ng COA patungkol sa liquidation ng confidential funds. Inamin niya rin na nag-isyu siya ng isa pang sulat na tinatangkang pigilin ang COA sa pag-comply ng isang subpoena mula sa Kongresong ito. Ilang beses rin pong nakatanggap

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ang Committee ng mga iba pang sulat mula kay Atty. Lopez na tumatangging humarap sa Committee on the basis of the same grounds na kanyang inilahad sa sulat ng COA.

Kung titignan po ang totality of Atty. Lopez's acts, malinaw na mayroong clear, persistent and willful attempt to interfere, frustrate and defeat the inquiry undertaken by the Committee. *At dahil dito ay nahatulan siya ng contempt under Section 11(f)* of our Rules of Procedure Governing Inquiries in Aid of Legislation. Ngunit, it seems na ginamit ang pagkakataon na ito upang i-destruct at i-divert ang attention ng publiko palihis sa mga isyu na tinatalakay natin. Mula Miyerkules hanggang Linggo, wala po tayong narinig na kahit na ano pang pagtugon sa mga findings noong nakaraang pagdinig natin. Sadya pong pilit na tinatabunan ang mga tanong ng taumbayan ukol sa magkaibang pirma ni Kokoy Villamin mula sa acknowledgement receipts ng DEPED at OVP, pati na rin sa mala-Superman na paglipad ni Edward Fajarda sa dalawampu't pitong lugar sa Pilipinas sa loob lamang ng isang araw. Imbes na sagutin ang ating mga katanungan ay nag-stage po ng mala-siege sa loob ng Kongreso at nagpaunlak ng kung anu-anong kuwento ukol sa pag-detain kay Atty. Lopez.

Let me set the record straight, after Atty. Lopez was taken into custody by our Sergeant-at-Arms, madami po tayong in-extend na concession sa kanya at sa Bise Presidente. Humingi sila ng extension sa visiting hours kay Atty. Lopez, pinagbigyan po natin kahit lagpas *alas siete* ng gabi, dumating ang Bise Presidente noong Huwebes, hinayaan po natin bumisita kahit hindi na visiting hours.

Noong sinabi nila na may medical concern raw si Atty. Lopez, pinatingnan po natin ito kaagad sa medical director ng Kongreso para ma-ensure na physically stable si Atty. Lopez. Noong nag-request si Atty. Lopez na payagan siyang um-attend sa kanyang physical therapy session para sa frozen shoulder, pumayag po tayo. Sabi natin, bigyan niya lang tayo ng schedule nito at sasamahan siya ng security personnel under kay Sergeant-at-Arms. Nag-request ulit si Atty. Lopez, magpapasama raw siya ng companion sa kanyang silid. Ang sagot po natin, "Okay. Puwede ka samahan ng isang miyembro ng pamilya mo." Gusto raw po ni Atty. Lopez ng additional security personnel, pinagbigyan din po natin. May request pa si Atty. Lopez, puwede raw po ba payagan ang personal physician niya na bumisita sa kanya araw-araw. Ang sabi po natin, "Okay, sundin lang po ang guidelines ng ating Office of the Sergeant-at-Arms dahil ang opisina nila ang umaasikaso sa seguridad sa loob ng Batasan Complex."

Kahit na hindi visiting day ang Sunday, noong nag-request po si Atty. Lopez na payagan ang counsel at OVP staff niya na bisitahin siya ng Linggo, hindi po natin

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tinanggihan ito. Ngunit inilagay nila sa security risk ang buong Kongreso sa pagpupumilit ng Bise Presidente na manirahan sa loob. May notice pa po tayong natanggap noong Biyernes, magwo-walking exercise raw si Bise Presidente sa loob ng Batasan Complex.

Bandang hapon ng November 22, siguro noong naging malinaw sa OSAA na mananatili ulit ang Bise Presidente sa loob ng Batasan for that night, nakatanggap po ang ating Committee ng report mula sa OSAA reiterating that the continued presence of the Vice President in the House of Representatives Complex has disrupted…

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THE CHAIRPERSON. (Continuing)...has disrupted its normal operations and has jeopardized security. Dahil po sa urgency ng concern ng OSAA, nagpatawag ako ng special meeting of the Committee in accordance with Section 37 of the Rules of House of Representatives which states that, "*Special meetings may be held by the committee which may be called by the chairperson or by one-fourth (1/4) of all its Members: Provided,* That the Members shall be notified in writing or through electronic mail or instant messaging indicating therein the date, time, place and agenda of the meeting."

Sa special meeting na iyon, this Committee unanimously resolved to transfer Attorney Lopez from the House of Representatives detention center to the women's correctional facility in Mandaluyong.

Para sa hindi pamilyar sa ating Rules, nakasaad po sa Section 11 na nasa discretion po ng Komite kung saan ide-detain ang isang tao na nahatulan ng contempt. The Rules states that upon order of the Committee, a person cited in contempt shall be detained in such place as the Chairperson or Acting Chairperson may designate.

Sa tanong kung bakit napagdesisyunan ito at ng Komite na ilipat si Attorney Lopez, ang primary consideration po rito ay ang seguridad ng complex and to alleviate the strain caused by the... to the staff by the continued presence of the Vice President and her contingent sa loob ng complex, lalong-lalo na po ang mga security personnel natin sa OSAA. May breach of security protocols and guidelines of the House of Representatives on the conduct of visits to detained individuals. Kahit na ilang beses po tayo nanawagan sa Bise Presidente, patuloy pa rin po ang kanyang disregard and brazen non-compliance of the office orders prohibiting visitors from staying overnight in the premises of the House of Representatives.

Today po sa hearing na ito, ni-request ko rin po ang Sergeant-at-Arms, Retired PM General Taas, to be present and report on what really transpired sa transfer kay Attorney Lopez. Pero huwag nating kalimutan na hanggang ngayon ay wala tayong natatanggap na malinaw na paliwanag kung bakit binudol ang mga kawani ng AFP na maglabas ng mga sertipikasyon na gagamitin pala ng DEPED sa pag-justify ng kanilang paggamit ng Confidential Funds kahit na wala namang natatanggap na pera ang AFP mula sa DEPED Confidential Funds. At oo, isang misteryoso pa rin para sa taongbayan ang pagkatao nitong si Mary Grace Piattos.

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Sa bawat pagdinig po natin, patung-patong po ang mga natutuklasang kababalaghan sa nangyayari sa 612.5 million na Confidential Funds ng OVP at DEPED, at panawagan ko po sa taumbayan na huwag po nating hayaan na ibaon ang ating mga katanungan gamit ang mga diversionary tactics.

Now, we continue our Legislative inquiry on the matter so we may ask the most important question, ang pinakaimportante po sa tanong, saan po talaga napunta ang 612.5 million pesos na pera ng bayan?

Maraming salamat po.

REP. LORENZ R. DEFENSOR. Mr. Chairman.

THE CHAIRPERSON. Congressman Defensor.

REP. DEFENSOR. Thank you, Mr. Chairman.

Can we confirm kung pang-ilang hearing na po ito ng Committee on Good Government?

THE CHAIRPERSON. Pampito na po ito ngayon.

REP. DEFENSOR. This is the 7th hearing of the Committee on Good Government and Public Accountability?

Mr. Chairman, will you agree with me if I say that if only all the resource persons attended and told the truth, it would take this Committee only one hearing to conclude its inquiry on what happened to the funds of DEPED and OVP? Is that correct, Mr. Chairman?

THE CHAIRPERSON. I totally agree, Congressman Defensor.

REP. DEFENSOR. Mr. Chairman, tama rin po bang sabihin na kung naipaliwanag lang ng mga resource person ng mabuti kung ano ang ginawa sa mahigit 600 million na Intelligence and Confidential Funds instead of evading and not attending ay may closure na sana at hindi na humaba ng ganito ang ating hearing at hindi na nagkaroon ng ganitong insidente? Tama po ba, Mr. Chairman?

THE CHAIRPERSON. Tama po.

REP. DEFENSOR. Thank you, Mr. Chairman. I hope that this serves as an example na kung hindi sila dumadalo, lalo pang tatagal at hindi po titigil ang Chairman ng Komiteng ito sa paghahanap ng katotohanan kung ano ang ginawa nila sa pondo ng bayan.

THE CHAIRPERSON. Maraming salamat po.

REP. DEFENSOR. Thank you, Mr. Chairman.

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THE CHAIRPERSON. I now call on the Committee Secretary to provide the Committee an update on the invitations, requests, correspondences, submissions and compliance.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

Prior to that, may I recognize Honorable Raoul Danniel A. Manuel from KABATAAN Party List; Honorable Christopherson M. Yap from the 2nd District of Southern Leyte.

Present with us today is Ms. Cholita Tiong, Director for Finance from DEPED; Ms. Annalyn M. Sevilla, Undersecretary for DEPED; Ms. Rhunna Catalan, Chief Accountant of the Department of Education.

Your Honor, may I also call on the Legal Counsel for... another Legal Counsel for Mr. Teñido and Ms. Rabago to please enter his appearance, Atty. Ino? Not present. Thank you, Your Honor.

Moving on, Your Honor, we have here... some of the resource persons sent their excuse letters. For Attorney Zuleika, she is not present today. However, she is confined in the Veterans Medical Memorial Center. May I read the contents of her letter?

THE CHAIRPERSON. Yes please, ComSec.

THE ACTING COMMITTEE SECRETARY. Okay.

Your Honor, she wrote, I write in the matter of...this is a letter dated November 24, 2024, "I write in the matter of the privilege speech and the *motu proprio* inquiry, and in specific relation to the subpoena *ad testificandum* scheduled for November 25, 2024 at 10:00 in the morning. As you may have been made aware yesterday, November 23, 2024, I was admitted and confined in the Veterans Memorial Medical Center and was subsequently diagnosed with acute stress disorder following the series of incidents leading to my eventual transfer to the said government facility. In connection with the same, I am sincerely and humbly hoping for the kind consideration of this Honorable Committee in excusing my appearance for tomorrow's hearing. I have attached here with the copy of the certificate of confinement, dated November 24, 2024, issued by VMMC. Thank you," signed by Attorney Zuleika T. Lopez.

On the second page, Your Honor, there's a certificate of confinement, it's signed by Dr. Eloisa S. De Guia, Dr. Attorney Mario L. De Castro, Dr. Joan Mae G.

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Perez-Rifareal, and Dr. Ma. Antonette Gabua. It states that she is being managed for acute stress disorder after presenting with difficulty in sleeping, anxiety, and intrusive symptoms in the form of nightmares, flashbacks, and avoidance alongside with the diagnosis of musculoskeletal strain of both shoulders to consider chronic *adhesive capsulitis*, *spinal asymmetry of the thoracic spine*, *lumbar* spondylosis, and, after presenting with shoulder pain, with limited range of motion and backpain. This certification is issued at the request of the patient and is not intended for use in any medicolegal context of proceedings, Your Honor.

THE CHAIRPERSON. Thank you.

THE ACTING COMMITTEE SECRETARY. For... Your Honor, yes.

For the other submissions, Your Honor, there are five actions from the previous hearing. We have issued a subpoena *duces tecum* for the COA to submit the documents on the Davao City Confidential Funds. They asked for five calendar days for compliance due to voluminous documents, Your Honor.

There was also a request for the submission of the acknowledgement receipts, voluminous in amount, to the NBI, for forensic examination of handwriting and signatures; and to the PSA, for verification of the existence of the names, it is being requested, Your Honor, in process.

As to the detention order and contempt order, we have with us here present, Mr. Ortonio, Attorney Fajarda, Mr. Fajarda, and Ms. Acosta.

As to the submission of the OVP of the special order to the SDOs to attend the programs of the OVP in the various satellite offices, the reason why the others were not present in the previous hearing, and to submit the program activities attended by said SDOs, none has been submitted... none have been submitted to the Secretariat, Your Honor.

As to the show cause order of Attorney Rochelle N. Abella, she submitted a certificate of appearance issued by Makati RTC Branch 60 on the said date, Your Honors.

That's it for the administrative matters.

THE CHAIRPERSON. Is Attorney Abella present?

THE ACTING COMMITTEE SECRETARY. No, Your Honor.

THE CHAIRPERSON. She is still absent?

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THE ACTING COMMITTEE SECRETARY. Not present today, Your Honor. None that I am aware of… Can you please take your seat, Ma'am?

I would like to recognize the presence of Attorney Rhoscel N. Abella, Counsel of the Office of the Vice President…

(MS. REGILYN B. ENCIO TOOK OVER)

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THE ACTING COMMITTEE SECRETARY. (Continuing)...Counsel of the Office of the Vice President.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize the Honorable Senior Deputy Speaker, the Honorable Dong Gonzales.

REP. GERVILLE "JINKY BITRICS" R. LUISTRO. Mr. Chair.

THE CHAIRPERSON. Congressman Luistro, you are recognized.

REP. LUISTRO. May I just inquire whether the three others who were separated from the DEPED along with Usec. Mercado were invited for today's hearing?

THE ACTING COMMITTEE SECRETARY. Your Honor, DEPED provided us with the electronic mail address of Atty. Brady De Castro, we sent an invitation. However, for Atty. Ablan and Mr. Arnuco, we coursed it through the DEPED because we have no information as to how we will give it to them, Your Honor.

REP. LUISTRO. I respectfully move, Mr. Chair, that we continue on inviting these resource persons, Mr. Chair.

THE CHAIRPERSON. Thank you.

ComSec, please take note of the manifestation of the Honorable Jinky Luistro.

Congressman Mika.

With the indulgence of Congressman Mika, the Chair would like to recognize Congressman Dan Fernandez.

REP. DAN S. FERNANDEZ. Thank you, Mr. Chairman. I'm just looking at the certificate of confinement of Atty. Zuleika Lopez. I'm just wondering if the doctors who have certified this certification are around?

THE CHAIRPERSON. ComSec, may I know if the doctor or doctors are present in today's hearing from Veterans Medical Center?

THE ACTING COMMITTEE SECRETARY. No, Your Honor.

REP. FERNANDEZ. Or anybody from our medical doctors or medical team who can answer some query from this Representation.

THE ACTING COMMITTEE SECRETARY. I think the Sergeant-at-Arms...Pardon me, Secretary General, the MDS...

THE CHAIRPERSON. Maybe our in-house doctor.

REP. FERNANDEZ. Because as I...

THE CHAIRPERSON. Can we invite the...

REP. FERNANDEZ. The reason, Mr. Chairman, that I wanted to ask this because she is being managed for acute stress disorder. So, meaning, if this is an

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acute stress disorder, this is short-term mental health condition. And, basically, itong ganitong klase ng mga sakit ay hindi masyadong mahaba iyong proseso, as I believe on this diagnosis. That's the reason why this Representation wanted to ask any medical doctor to confirm to us iyon pong...iyong diagnosis sa kanya.

REP. SUAREZ. Papunta na daw.

REP. FERNANDEZ. Papunta na?

THE CHAIRPERSON. ComSec.

REP. FERNANDEZ. Para at least we can find out, 'no, kung hanggang kailan siya will be handled on this diagnosis.

THE ACTING COMMITTEE SECRETARY. Currently requesting the presence of MDS personnel, Your Honor.

THE CHAIRPERSON. Thank you.

REP. FERNANDEZ. Okay. Sige. We'll be asking them in a while.

Thank you, Mr. Chair.

REP. SUAREZ. Mr. Chair, can I also...

THE CHAIRPERSON. Deputy Speaker Jay-Jay Suarez, you are recognized.

REP. SUAREZ. Maraming, maraming salamat, Mr. Chair.

Mr. Chair, nakasulat din po dito sa certificate of confinement na pinirmahan ng isa, dalawa, tatlo, apat na doktor mula sa Veterans Memorial Medical Center. If I may read, Mr. Chair?

THE CHAIRPERSON. Yes, please continue.

REP. SUAREZ. "This is to certify that Atty. Zuleika Tanglao(?) Lopez, a 50-year old female patient, is currently admitted at our institution. She is being managed for acute stress disorder after presenting with difficulty in sleeping, anxiety, and intrusive symptoms in the form of nightmares, flashbacks, and avoidance alongside a diagnosis of musculoskeletal strain on both shoulders to consider chronic adhesive capsulitis, spinal asymmetry of the thoracic spine, lumbar spondylosis after presenting with shoulder pain with limited range of motion and back pain.

This certification is issued at the request of the patient, and is not intended for use in any medico legal context or proceedings."

The reason why I read this, Mr. Chair, is totoo po na mayroon po siyang certificate of confinement, kaso lang hindi po naman po sinasabi dito ng kanyang mga doktor na hindi po siya physically incapable of attending today's hearing.

So, maaaring may karamdaman siya at marami naman po sa mga resource persons natin, at pati po iyong mga Congressman, hindi 100 percent ang kanilang

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nararamdaman o in the pink of health whenever we attend to our work. However, I just find it a little bit odd, Mr. Chair, na hindi binanggit dito na dahil sa kanyang kondisyon, hindi siya makakarating.

So, for the record, Mr. Chair, I want to point that out that that is not included in her certificate of confinement.

REP. FERNANDEZ. And in addition, Mr. Chairman, 'no...

THE CHAIRPERSON. Thank you Deputy Speaker Suarez.

REP. FERNANDEZ. If I may, Mr. Chairman.

THE CHAIRPERSON. Congressman Dan Fernandez, you are recognized.

REP. FERNANDEZ. I find it so ano...amusing, ano. Kasi itong acute stress disorder, there are two types of this stress disorder: one, is acute, which is short-term; and, the other one is chronic stress, which is long-term. Dito po sa example po ng ating tinatawag na acute stress would be any stress which you suffer from...for a period of short time. So, ang mga example po nito, Mr. Chairman, kung...if I may, 'no, halimbawa napunta ka sa traffic jam o kaya nandito tayo, na-stress tayo, iyon po iyong tinatawag nating acute stress disorder. Iyon naman pong chronic is mahaba, long period of time. And that's the reason why we wanted to ask the medical doctors to educate us on this. Precisely, ako po, medyo worried lamang ako dito sa mga condition that they are mentioning right now, because, I think, nagkakaroon na naman po tayo ng evasion by our resource persons. And we don't want to set a precedent, lagi na lamang pong ganito, that they are using the medical certification not to be present on our Committee hearings.

Iyon lamang po, Mr. Chairman. And mamaya po pagdating po ng ating mga medical doctors, we will be equipped with more details about this.

Maraming salamat po.

THE CHAIRPERSON. Thank you, Congressman Dan Fernandez.

Congresswoman Mikaela Suansing.

REP. MIKAELA ANGELA B. SUANSING. Thank you, Mr. Chair.

Mr. Chair, siguro po if I may be given the opportunity to please ask questions to our Sergeant-at-Arms and our SecGen kasi po ang dami pong kumakalat na mga haka-haka patungkol po sa ano po ba talaga iyong nangyari noong gabi na iyon.

So, Mr. Chair, since we're tackling admin matters at the moment before we proceed with the interpellations, may I be allowed, Mr. Chair, the opportunity to propound questions to our SAA and to our Secretary General?

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THE CHAIRPERSON. Yes. The reason why we invited the Secretary General is because the Secretary General will give us briefing of what transpired in the past two or three days.

So, with that, the Chair would like to recognize the Secretary General, the Honorable Reginald Velasco.

MR. REGINALD S. VELASCO (Secretary General, House of Representatives). Thank you. Thank you, Mr. Chairman.

I will read the report here documenting the events concerning the contempt order and detention of Atty. Zuleika Lopez from the House of Representatives, Quezon City to the Women's Correctional facility, then to Veterans Memorial Hospital.

We started, as the Chairman stated, the Committee met on November 20, 2024 at 10:00 a.m. and adjourned at 8:23 p.m. Representative France Castro, ACT TEACHERS Party List, moved to cite Atty. Lopez for contempt on the basis of the letters sent by the Office of the President to the Commission on Audit, which was duly seconded and approved by this Committee, asking it not to comply with a House panel's *subpoena* to submit audit reports on the OVP and the Department of Education on the use of confidential fund. This was duly approved by the Committee.

An order of detention...

(MS. NERIZZA G. ONA TOOK OVER)

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MR. VELASCO. (Continuing)...order of detention was issued by the Committee, instructing the SAA to detain Atty. Lopez.

Atty. Lopez was escorted to the HREP custodial center at 8:43 p.m.

At 9:40...9:39 p.m., the Office of the Sergeant-at-Arms received the contempt order from the Committee, and was served at 9:55 p.m. to Atty. Lopez, while OVP staff are still with her. They only left at 10:40 p.m., despite Legislative Security Bureau's repeated requests to leave at 10:00 p.m.

Atty. Lopez, then, wrote Chairman Representative Joel Chua, requesting to allow individuals to visit her during her detention on November 21, 22, 23, and 24 at the HREP.

On November 21, 2024, the advance party of the Office of the Vice President arrived at the HREP premises at 1:56 p.m., and coordinated with the LSB personnel by the 12-member security team of the OVP. The meeting was held, led by Lieutenant Colonel Marlon Bagara.

Atty. Lopez was brought to the HREP visitors center at 6:30 p.m. for the visit of Vice President Duterte, and exited the visitors center at 10:00 p.m.

At 10:05 p.m., VP Duterte boarded her vehicle convoy. Instead of exiting via the south gate, she proceeded to the South Wing Annex, Room 304, which is the office of her brother, Representative Paolo Duterte, supposedly to change clothes, but never left the office. The security of the Vice President explained to the duty guard at the SWA that they would deliver durian to the office of Representative Duterte.

At 11:00 p.m., General Taas, the Sergeant-at-Arms, started coordinating with the OVP security officers to leave the HREP complex, as the VP has already exceeded the visiting hours contained in our security guidelines. He personally appealed to VP Duterte at SWA, Room 304, of Congressman Duterte, to leave the premises, but was ignored. The OVP security officers were reminded of HREP's standard practice of no lights and no air conditioning in the building after hours.

The following day, November 22, VP Duterte's security officer exited the Honorable Congressman Duterte's office, and informed the Sergeant-at-Arms that the VP was already asleep. General Taas reminded the security officer that power to the building will be cut off in 10 minutes. The SWA building power supply was cut off by the Engineering and Physical Facilities Department at 12:00 a.m.

Except for the three close-in security officers of the Vice President, all other security personnel exited SWA, and went to their respective vehicles to spend the

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night, starting at 12:30 a.m. The LSB continued monitoring SWA, Room 304, where the VP is stationed, which remained locked. No other activities were observed.

The power supply to the SWA building was restored, upon the request of the HREP Finance Department, due to regular work operation. LSB continued monitoring and negotiating with the security officers, urging VP Duterte to honor the security guidelines. However, the VP's security team remained locked inside the SWA, Room 304, until 8:00 a.m.

The office of General Taas received the transfer order to the Women's Correctional Facility of Atty. Lopez from the Committee at 11:00 p.m., and was served to Atty. Lopez at 11:27 p.m., but she refused to receive the transfer order, asking the Sergeant-at-Arms service team to leave her room.

The following day, November 23, 2024, the reading of the transfer order by the LSB Executive Director, outside the room of Atty. Lopez and only by the window, was at 12:10 a.m., where a few minutes after, Atty. Lito Go, OVP counsel, arrived at the House detention facility.

VP Duterte and Atty. Lopez held an online press conference via Zoom at 1:00 a.m., at the House detention center. This was done without the permission of the House of Representatives.

Atty. Leandro Jose Antonio Resurreccion, Krisni...Krisha Remperas, and Ian Christopher Cruz of the OVP, upon their arrival at the HREP gates at 1:08 a.m., were not allowed entry to the HREP premises, in compliance with our security protocol.

The entry of Dr. Ranelle Mae Natural with the Emergency Medical Team—Ericson Olpindo, Loradel Tiburcio, and Alexander Candelaria—onboard the Diliman Doctors Hospital, DDH ambulance, which was provided by the OVP, at 11...at 1:12 a.m., but were not allowed to enter the premises, due to the absence of permission from the Committee.

At 2:29 a.m., Atty. Lopez experienced a panic attack and started vomiting. General Taas allowed the entry of Dr. Tiamson, from the EMT-DDH, to check the medical condition of Atty. Lopez, as requested by the OVP protocol officers.

While this was going on, the Sergeant-at-Arms requested for the ambulance from the PNP, and the ambulance arrived at 2:59 a.m. This is to ensure the secured transport of the patient.

The PNP ambulance exited south gate at 3:08 a.m., escorted by the SAA, LSB officials, and the PSPG patrol cars. Onboard the LP...LSB patrol are the

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following LSB personnel: Melvin Bella...Beltia, Diokno Toquero, and Ms. Angelyn Joy Gimasad, headed for Veterans Memorial Hospital...

(MS. THELMA M. RETUBA TOOK OVER)

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MR. VELASCO. (Continuing)...Veterans Memorial Hospital.

At 3:45 a.m., Atty. Lopez was reported to be in stable condition as per report from the LSB Team, Ms. Gumisad, and per assessment of the doctors from the Veterans Memorial Hospital.

VP Duterte instigated the transfer of Atty. Lopez to St. Luke's Medical Center at Quezon City. The convoy arrived at the St. Luke's Medical Center, Quezon City at 5:44 a.m. Atty. Lopez was discharged at 8:58 a.m. And based on the order of the Secretary General, she was transferred back to the Veterans Memorial Hospital at 12:42 a.m.

Atty. Lopez is now confined at the Veterans Memorial Hospital and will stay there while awaiting the medical evaluation from the Veterans Memorial Hospital doctors.

Thank you.

THE CHAIRPERSON. Thank you, SecGen.

Yes, Congresswoman Mika Suansing.

REP. M. A. B. SUANSING. Mr. Chair, before I propound questions, will our Sergeant-at-At Arms also have a report or can I go straight to my questions, Mr. Chair?

THE CHAIRPERSON. You can proceed with your question.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

May I first direct my questions to our Sergeant-at-Arms. SAA, isa po sa mga pinakamabigat na paratang ni Usec. Lopez doon po sa kanyang press conference ay iyong pakiramdam niya po ay mayroong banta sa kanya buhay.

Let me quote several of her manifestations, Mr. Chair, in her press conference. "I will not have pushed that by myself if I did not feel that I was being threatened, my life was being threatened." Another quote, "You saw in the hearing that my back hurts, I cannot lift heavy things. Pero dahil natakot ako, I feared for my life, I really pushed that by myself. Hindi lang ito harassment, this is really a threat to my life. They ganged up on you in the middle of the night, how's that not, isn't that a threat to my life?" And the last quote po is "And they bring 10 people to serve you in the middle of the night in my pajamas. This is a threat to my life, it's not harassment."

So, SAA, I would like to dissect the events of that evening para po malinawan tayo bakit kaya nasabi po iyon ni Usec Lopez. So, she asserted several times that many people "barged" into her detention room at around midnight to serve the

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transfer order. Her descriptions differ all throughout her presscon. Hindi po siya consistent. Pag minsan sinasabi niya siyam, pag minsan sampu. Mayroon pong time noong kinorner *(corner)* siya ulit ng media na ilan po ba talaga. Ang sabi niya, "Hindi ko nga alam kung nine, basta ang alam ko they're more than me, they're more than myself." Ganoon po iyong sinabi niya.

So, I have a few questions, SAA. First is, what is the protocol for serving a transfer order? Ano po ba iyong protocol natin, ano po iyong procedures natin, and sino po iyong nagse-serve noong transfer order, Mr. Chair?

THE CHAIRPERSON. The Chair would like to recognize the Sergeant-at-Arms Napoleon Taas.

MR. NAPOLEON C. TAAS (Sergeant-at-Arms, House of Representatives, Quezon City). Thank you very much, Mr. Chairman.

Ang protocol po natin is...actually ang mga nakuha kong mga questions is ano iyong oras, mayroon po bang itinakdang oras para i-implement ho iyong...nandoon ho iyong mga nakuha ko na nakarating sa akin na mga text na questioning iyong protocol. At ang sinabi ko nga po is wala hong specific na protocol as to the time. Ang practice ho natin for the past two years that I have been the Seargeant-at-Arms, every time po na mayroong order ang Komite ay mabilis po nating ipinatutupad. Of course, consistent po doon sa kompleto iyong aming logistics. Nandiyan po iyong tao at ready po iyong lugar na paglalagyan. So, iyon lang po iyong protocol na aming ipinatutupad.

Iyon naman pong kung gaano karaming tao, common sense naman po iyon. Ang mahigpit lang po nating sinisiguro ay iyong safety and security noong detainee from the time we serve until the time we effectively transferred her or them to the destination.

Thank you, Mr. Chairman.

REP. M. A. B. SUANSING. Mr. Chair, if I may ask po.

THE CHAIRPERSON. Yes, Congresswoman Mika.

REP. M. A. B. SUANSING. Sino po iyong bumuo noong grupo na pumasok po doon sa kuwarto para po i-serve iyong transfer order? Ano po iyong composition noong grupo?

MR. TAAS. Maraming salamat po. I hope maintindihan po ng Komite, Mr. Chairman, na...

THE CHAIRPERSON. Please continue.

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MR. TAAS. ... spread too thinly na po ang LSB dahil nga po sa presensiya ng ating Pangalawang Pangulo. So, minabuti ko pong ako mismo ang nag set up po noong mga teams na mag i-implement po noong transfer order.

So, basically, lahat po noong hindi naka-deploy sa ating mga gates, lahat ho iyon ay na-deploy. Ako ho ang nagbuo noong team na...lima lang po ang miyembro noong team na iyon na magse-serve. Mayroon po tayong team na in charge ng convoy, mayroon po tayong team na in charge ng crowd control kung sakali nga pong magkakaroon ng komusyon at mayroon din po tayong team na magse-secure doon sa dadalhan na lugar na nagko-communicate directly, na nakuha naman po natin iyong sagot na mayroon hong available na detention facility doon sa Women's Correctional. So, ako po, Ma'am ang personal na nag set up at nag identify kung sino ho iyong magpo-form noong magse-serve noong transfer order, Madam, Mr. Chairman.

REP. M. A. B. SUANSING. Mr. Chair, if I may ask the SAA a follow up question.

THE CHAIRPERSON. Yes, Congresswoman Mika.

REP. M. A. B. SUANSING. Ilang tao po iyong pumasok doon po sa kuwarto? Ilan po iyong pumunta doon sa detention room para po i-serve iyong transfer order, Mr. Chair?

MR. TAAS. Mr. Chairman...

THE CHAIRPERSON. Please continue.

MR. TAAS. ...if I may. Maganda po at iyong Komite po ay pinangalagaan din at tinulungan ang ating Sergeant-at-Arms at siniguro na dokumentado iyong amin pong pag-serve. At mayroon po kaming...aside from iyong existing natin na CCTV, mayroon ho kaming backup na videographer para nga po ipakita talaga kung ano ang mangyayari.

At kung makikita ninyo po, our CCTV and the videos, will bear us out na apat lang ho iyong taong pumasok, tatlo ang babae at nasa likod ho iyong isang abogado na lalaki. So, apat lamang po. And if you will, nandiyan po ang ating ComSec, if they want to look at the video.

THE CHAIRPERSON. Please present the video, ComSec. May volume po ba?

REP. M. A. B. SUANSING. Opo.

THE CHAIRPERSON. May volume?

REP. M. A. B. SUANSING. May audio po ba, SAA, iyong...

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MR. TAAS. Wala pong audio, Ma'am, ang ating CCTV.

REP. M. A. B. SUANSING. Mr. Chair...

THE CHAIRPERSON. Please proceed.

REP. MA. A. B. SUANSING. ...isa lang po ba iyong footage? Mayroon pa po bang gustong ipakita si SAA? At mayroon pa po bang subsequent footages?

THE CHAIRPERSON. Ilang video footages po iyan?

MR. TAAS. Ito po, nakita po ninyo ngayon, Mr. Chairman, is galing po sa ating CCTV. Mayroon pa po tayong pumasok sa loob at makikita nga po doon na kausap na noong nag-serve na tatlong babae si Atty. Lopez. Mayroon pa pong available, Mr. Chairman.

THE CHAIRPERSON. Please.

THE ACTING COMMITTEE SECRETARY. Your Honor, we're just having difficulty with the audio.

REP. M. A. B. SUANSING. Mr. Chair...

THE CHAIRPERSON. Congresswoman Suansing.

REP. M. A. B. SUANSING. ...if the ComSec would be able to replay the videos with the audio, that might be critical to the discussion...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. M. A. B. SUANSING. (Continuing)...critical to the discussion, Mr. Chair.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor. We're already doing something about the technical difficulty, Your Honor. There's an audio.

REP. M. A. B. SUANSING. Mr. Chair, before I proceed, any more videos po, SAA, or can we proceed with the questioning?

MR. TAAS. As far as ano, wala na pong ibang pumasok, ibang pagkakataon na pumasok po iyong... doon sa loob ng opisina ni Attorney Lopez. Iyon ho, nakita niyo ho pinakamarami na ho iyong nasa...

THE CHAIRPERSON. Detention center.

MR. TAAS. ...Mr. Chairman.

THE CHAIRPERSON. Detention center not office.

REP. M. A. B. SUANSING. Opo. Mr. Chair, if... if I may, tama po ba iyong nakita ko? So, noong pumasok po, nakita natin napakakalmado. Kasi po, ang description po ni Attorney Lopez, ni Usec Zuleika, doon po sa kanyang press con, ganoon iyong motion *(gestured knocking using fist)* niya when she was talking about how they knocked. So, mukha pong kitang-kita doon sa pinakaunang video, napaka-gentle nga po ng pag-knock noong... noong LSB personnel, so siguro po iyon po iyong una.

Second po, in terms of using the word "barge", that did not seem to me like barging in. Kasi po, noong binuksan po iyong pinto, konti-konti pa nga pong sumilip iyon pong LSB personnel, Mr. Chair.

The third thing that I spotted po is may ilaw pala doon sa kuwarto. So, parang it seemed like a matter of choice when they conducted the press conferences in the dark. So, mukhang sila po iyong pumili na patayin po iyong ilaw doon sa press con.

Pang-apat po na gusto kong i-highlight doon sa video, kung bibilangin ko po, Mr. Chair, and I'd like to request for SAA's confirmation on this, there seem to be four people—the lady in green which seemed to be... which seemed to me siya po iyong may hawak noong transfer order, the lady in the green jacket. Pangalawa po ay iyong uniformed personnel na babae. Pangatlo po parang may lalaki po doon sa bandang kanan, ayan po, na papasok din po. At iyong pang-apat po ay iyong cameraman. So, siguro po walang punto na humigit po sa apat na tao iyong nasa sa loob noong kuwarto.

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So, siguro po, Mr. Chair, iyon po, napaka-kalmado po noong sitwasyon. Parang wala naman pong altercation, walang confrontational conversations, whatsoever. So, iyon lang po siguro, Mr. Chair, I just wanted to highlight that na mukhang wala pong barging in, wala pong confrontation na naganap, Mr. Chair. And I would like to ask SAA kung tama po ba iyong read ko in terms of the situation, Mr. Chair?

THE CHAIRPERSON. SAA.

MR. TAAS. Mr. Chairman...

THE CHAIRPERSON. Before you answer that, SAA, may I know, saan po iyong switch noong ilaw—nasa loob o nasa labas?

MR. TAAS. Mr. Chairman, ito pong ating detention room is nasa loob po even iyong aircon sila po iyong may control doon sa loob.

THE CHAIRPERSON. Okay. Please continue, SAA.

MR. TAAS. Mr. Chairman, thank you very much. Mr. Chairman, Madam Chair, tama po iyon dahil kung hindi ho maayos at mahinahon iyong pag-deliver noong order is kasalanan ko po dahil ako po iyong nag-brief every step of the way kung ano ho iyong mangyayari. Kung pumayag nga siya na makarating... na magpadala sa... sa detention center, maayos din hong mangyayari sana iyon. So, tama po iyon, wala na hong sumunod na insidente na nag-serve ng... at dumami iyong mga tao.

In fact, iyong second time po na sinubukan naming i-serve iyong transfer order is nasa labas na po ng bintana at hindi na kami pinapasok. Pero still binasahan pa rin ho natin at ayaw pa rin ho nilang sumunod.

Maraming salamat ho, Mr. Chairman.

THE CHAIRPERSON. Yes. Before you continue, SAA, hindi ka pa pala nakakapag-oath, at saka si SecGen.

May I request the SecGen, the SAA, as well as all other resource persons to please take your oath before the ComSec?

ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honors, we invite all the new attendees and those who will be taking their ano...

THE CHAIRPERSON. May I... Where is the SecGen?

VOICES. CR.

THE CHAIRPERSON. One minute suspension as declared by the Chair.

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The meeting was suspended for less than one minute at 11:28 a.m.

THE CHAIRPERSON. Committee hearing resumes.

ComSec, please administer the oath.

THE ACTING COMMITTEE SECRETARY. May I please invite the new resource persons and those who will wish to give their testimony later on in the hearing to please stand, even those in the audience area? None?

At this juncture, the resource persons stood up to take their oath.

THE ACTING COMMITTEE SECRETARY. Please raise your right hand. Do you swear to tell the truth and nothing but the truth in this inquiry, so help you God? I do.

The oath has been administered, Your Honors.

THE CHAIRPERSON. Thank you.

SecGen, do you confirm all the statements that you said a while ago? SecGen?

MR. VELASCO. What?

THE CHAIRPERSON. Do you confirm all the statements that you manifested a while ago?

MR. VELASCO. Yes. Yes, Mr. Chairman.

THE CHAIRPERSON. Thank you.

SAA, do you confirm all the statements that you...?

MR. TAAS. Yes, yes, Mr. Chairman, everything that I said a while ago, I confirm.

THE CHAIRPERSON. Okay.

So, please continue, Congresswoman Suansing.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

Moving on, Mr. Chair, but on a similar note. All throughout the press con po mayroon silang inuulit-ulit din na term na, "Natatakot kami na anytime puwedeng i-break down iyong pinto. So, anytime they can barge in and break down the door." They kept on saying that all throughout the press conference, Mr. Chair, throughout the span of probably two, two and a half hours, Mr. Chair.

So, siguro, Mr. Chair, para maintindihan natin iyon, puwede ko po bang tanungin kay SAA, ano po ba iyong configuration noong pinto o noong lock doon po sa detention room? Kaya... Kailangan niyo po ba... Kasi po, ang naisip ko, kung normal siyang pinto, hindi niyo kailangang i-break down iyong pinto. Puwede niyo

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siyang buksan ng susi galing po sa labas. So, iyon po, Mr. Chair, gusto ko lang po sanang linawin iyon mula po kay Sergeant-at-Arms po natin.

THE CHAIRPERSON. SAA.

MR. TAAS. Mr. Chairman, if I may?

THE CHAIRPERSON. Please continue, SAA.

MR. TAAS. In the same manner na nakita ninyo po lahat ng switches ng aircon, noong ano ay nasa loob, so makikita ninyo po na hindi ito iyong detention center in the full sense of the word. So, kaya po iyong pagsabing gigibain, hindi po kailangan dahil ho nabubuksan naman iyong... iyong pintuan ng maayos. Hindi lang ho siya nabuksan noong pangalawang beses noong may... apparently may mga nakaharang na ho kaya hindi kami makapasok kahit na-unlock namin iyong pintuan. So, wala po akong makita. Besides, iyong sinasabi po natin siguro kung mayroon hong... assuming na totoo po iyong sinasabi ni ano, ni Attorney Lopez na natatakot siya, maaari hong nagsimula iyon noong second night niya na.

And ako po ay nagtataka kung bakit siya magkakaroon ng ganoong pakiramdam, na noong unang gabi po niya hanggang the following morning, I made sure even with their Protocol Officer of the Office of the Vice President, even with the security of the Office of the Vice President, na makita ho na maayos iyong ating pag-handle at safe na safe po iyong... iyong ating detainee. So, in fact, noong maghapon ho na iyon wala ho tayong narinig na... na reklamo o problema. Nag-umpisa lamang po iyon sa... perhaps, noong i-implement ho namin noong second night iyong transfer order, Mr. Chairman.

THE CHAIRPERSON. Congresswoman Suansing.

REP. M. A. B. SUANSING. Mr. Chair, siguro po kung titingnan po natin doon sa timeline noong press con at saka noong pagtawag nila noong medical emergency, parang mayroon po kasing parang two-hour gap. So, siguro, Mr. Chair, tanungin ko lang po, ano po ba ang nangyayari, SAA, doon po sa labas noong kuwarto? May komosyon po ba? Wala po bang masyadong tao doon? Sino po iyong nasa labas noong kuwarto doon po... noong mga panahon po iyon, Mr. Chair?

MR. TAAS. Mr. Chairman.

THE CHAIRPERSON. Please continue, SAA.

MR. TAAS. I believe again the video will bear us out. As per our policy po, wala naman hong kailangan na nakatayo na security roon sa may pintuan kung... pagka ho naka-lock. So, wala ho akong nakikitang magiging dahilan para maging

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panggagalingan ng takot noong mga nasa loob. Wala po tayong tao na nandoon. At pinayagan ho natin sila na puro tao ho ng OVP ang nakalapit. Noon nga pong nakakarinig tayo ng... although hindi pa natin confirm noong umpisa na nahihirapan daw hong huminga si Attorney Lopez, so ang mga tao ho doon tao ho ng OVP at hindi po iyong security natin.

REP. M. A. B. SUANSING. So, Mr. Chair, kung sa buong oras po na iyon puro mga tao lang ng OVP iyong nasa labas, wala naman po sigurong dahilan... Ako po ay mag-a-agree kay SAA, wala naman po sigurong dahilan para matakot sila na papasukin sila ng mga sarili nilang tao doon po sa loob ng kuwarto.

So, Mr. Chair, I was informed by the ComSec...

(MS. FLORISA M. PADA TOOK OVER)

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REP. M. A. B. SUANSING. (Continuing)...informed by the ComSec the video is now ready with the audio.

THE CHAIRPERSON. ComSec.

Video Presentation

THE CHAIRPERSON. Paki...Paki lakas po iyong volume.

REP. M. A. B. SUANSING. Mr. Chair, may narinig yata ako—very faint iyong audio—pero tama po ba may narinig ako na, "Gusto ninyo po bang magsuot ng robe ninyo or what?" Iyon po yata iyong...tapos mukha naman pong napakamalumanay noong boses pero para po, in the interest of time, Mr. Chair...Sige po.

Video Presentation

REP. M. A. B. SUANSING. Iyon, Mr. Chair.

So, iyon po. Mukhang kita naman po, to verify the manifestations of our Sergeant-at-Arms a while ago, very kalma...napakakalmado po noong sitwasyon. Nagtanong pa nga po si Ma'am, "Baka po gusto ninyong mag-robe?" So, ibig sabihin po, iniisip pa po noong nag-deliver noong order iyong...iyong sitwasyon ba kung kailangan niyang magtakip, kung naka-pajamas nga po talaga siya, Mr. Chair.

So, thank you, ComSec, for bringing that up.

Mr. Chair, siguro po, nakita ko po doon sa isang video, parang iyong pangalawa po yata noong pumasok na sila sa loob, nandoon po yata iyong pag-surrender noong cell phone. Kasi naalala ko po iyon po iyong isa sa mga naging issue kuno dito po sa sitwasyon na iyon, ninakaw daw, forcibly taken iyong kanilang mga cell phone. Kaya, Mr. Chair, if I may quicky request the ComSec to please play that second video, iyong pumasok po sa kuwarto tapos tinern *(turn)* over po iyong cell phone.

THE CHAIRPERSON. ComSec.

REP. M. A. B. SUANSING. Kung hindi naman po, Mr. Chair, kung matatagalan...Ayan po. Sige po.

Video Presentation

THE CHAIRPERSON. May volume po iyon?

REP. M. A. B. SUANSING. Sige lang po, Mr. Chair. I think we don't need to hear it naman po. Iyong mismong gesture po siguro would be sufficient to ano...for me to jump off from. Kahit po iyong...kahit po iyong...Kahit po wala ng audio, puwede po bang i-play na po natin?

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THE CHAIRPERSON. Kahit wala na pong audio, paki tuloy lang po iyong play.

Video Presentation

REP. M. A. B. SUANSING. Dito po, Mr. Chair, siguro, ang napansin ko po, dalawa po iyong cell phone dito. Assuming po iyong isa po kay Usec. Lopez, siguro po, iyong isa, doon po sa staff. Pero iyon nga po, inabot po ni Usec. Lopez doon po sa personnel, tapos inabot niya pa doon sa staff para i-off or kung anuman. So, siguro po, dito rin po makikita natin wala namang escalation po, hindi ninakaw. It wasn't forcibly taken from them.

And, Mr. Chair, mayroon lang interesting sa akin. Pinanood ko po kasi ulit iyong press conference. Parang tatlong beses po na nakita ko na mayroon pa ring cell phone si...iyong staff. So, siguro po, tatlo lang po ito, Mr. Chair. Mabilis lang ito. Eight seconds lang po iyong ibang mga footage. Kung puwede po nating mapakita, three times during the presscon na may cell phone po iyong staff ng...na nasa loob.

While we are pulling that up, Mr. Chair, mismong si Usec. Lopez ang nagsabi doon sa...doon po sa press conference niya, ang sabi niya, "They demanded to get our phone. We don't have a phone that's why we are calling from this laptop like the Viber. We are calling the lawyer from here. I don't have a phone to contact anyone."

Siguro po, lahat naman tayo alam na kapag may Viber ka, may contact ka sa labas. It's as good as having your phone with you kasi nandoon na rin naman na po iyong...iyong Viber...iyong contacts mo. So, siguro po, wala...hindi po totoo na wala silang abilidad na kumontak sa labas. At saka siguro, Mr. Chair, the fact that they were able to stage a full-blown press conference all throughout that time, ibig sabihin po, wala silang restrictions in terms of communicating outside. So, siguro po, Mr. Chair, pakita lang po natin very quickly iyong...iyong sa presscon po, not this one po, ComSec, not this one. Iyong tatlo po na nandoon sa press briefing.

Video Presentation

REP. M. A. B. SUANSING. Hindi po. Hindi po ito.

Sige po, Mr. Chair. Due to technical difficulties, Mr. Chair, I wouldn't want to delay the hearing any further. Pero I was able to get three screen recordings, Mr. Chair, of three instances during the hearing na may cell phone po na hawak iyong staff na kasama po nila sa kuwarto.

Kaya...Iyon lang, Mr. Chair. Siguro, in terms of the cell phone issue, I hope this puts this to rest, Mr. Chair. They seem to have access to devices, either laptops

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or cell phones. Siguro po, bukod doon sa dalawa na tinern *(turn)* over nila, mayroon pa silang ibang cell phone.

At saka, Mr. Chair, baka puwede ko pong tanungin kay SAA. Noong nagkaroon po ba ng medical emergency, kasi nakita ko po na may isang video po na medyo nagagalit po ang ating Bise Presidente na, "Ibalik ninyo iyong cell phone na ninakaw ninyo." Binalik po ba noong personnel natin iyong mga cell phone, Mr. Chair?

MR. TAAS. Your Honor, that's...

THE CHAIRPERSON. Yes, SAA.

MR. TAAS. ...fully ano po...Nagtataka ho ako. Nasa taas ho ako ng second floor ng LSB observing ho iyong nangyayari sa baba at narinig ko nga ho iyong nagnanakaw kaya ho...nanakaw iyong cell phone. Ako ho'y nagtataka kung papaanong nanakaw dahil kasama ho sa planning namin iyon. Tinanggal lang sa possession nila at inilagay din sa lamesa. Nandoon...Naiwan ho doon sa loob noong selda iyong cell phone. So, hindi po nawala iyong...wala pong nakuha na cell phone; wala pong nawawalang cell phone.

Thank you, Mr. Chairman.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

Mr. Chair, if I may move to a different topic altogether, Mr. Chair.

Mr. Chair, another allegation that they keep on throwing is the denial of their...the...a counsel of their choice. So, siguro po, Mr. Chair, gusto ko lang pong linawin, kasi po doon po sa timeline, doon po sa report ni SAA sa atin, dumating daw po iyong abogado nila ng mga...ng 12:25 ng madaling-araw. Sa presscon din naman po, mismong si Usec. Lopez ang nagsabi na bukod daw po sa...kay Vice President na lawyer niya...na tumayong lawyer niya na nasa loob ng kuwarto, mayroon din daw po siyang private lawyer...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. M. A. B. SUANSING. (Continuing)...private lawyer sa labas. So, doon po, base po doon, parang wala naman pong ganoon na denial ng counsel of their choice.

So, siguro, Mr. Chair, if we may ask the SAA, is...is...are...was there any attempt on the part of the LSB, of our security in the House, to prevent their lawyers from coming in?

MR. TAAS. Chairman, if I may.

THE CHAIRPERSON. Yes, SAA.

MR. TAAS. That will be the last thing in our...in our mind, Mr. Chairman, not to allow the counsel if it's being requested. Please take note that we implemented the serving of the transfer order at 11:35 in the evening. In about, give or take perhaps a few minutes that they have to call their lawyer and eventually the lawyer to travel and enter the Batasan, even it is nearby, I think the time that he finally arrived at 10:25 is consistent with the timing. The lawyer, again our video will bear us out, that we allowed Atty. Lito Go at 11:25...12:25 —I'm sorry, Mr. Chairman— access to his client.

REP. M. A. B. SUANSING. So, Mr. Chair, dalawa po iyong naging abogado ni Usec. Lopez noong gabi na iyon, tama po ba?

MR. TAAS. That's correct, Mr. Chairman, Your Honor.

REP. M. A. B. SUANSING. Mr. Chair, just one last issue to cover before...before I end my questioning. Iyong issue po noong medical access at saka ambulansya po. Kasi isa po sa mga sinasabi nila na parang naghihingalo na daw iyong tao, nag-i-struggle na, higit dalawang oras daw pinaghintay, kuno, bago po bigyan ng ambulansya, bago bigyan ng access sa doctor. So, siguro, Mr. Chair, in the press conference, they kept on flashing that little thumbnail wherein there was an ambulance waiting outside of our South gate, and allegedly, they were saying that the House refusing entry. So, siguro...Mr. Chair, siguro iyong isa ko lang na napansin doon, medyo nakakalito lang kasi nandoon na iyong ambulansya pero si Usec. Lopez nagpre-presscon. So, parang kung mayroong immediate medical emergency, siguro she wouldn't be in the state to actually conduct their press conference.

So, siguro, Mr. Chair, I would like to ask our SAA, ano po ba iyong ambulansya na dumating ng ala-una ng madaling araw habang nagpre-presscon po si Usec. Lopez?

THE CHAIRPERSON. SAA.

MR. TAAS. Mr. Chairman, Your Honor, ambulansya po ng Diliman Doctors iyong dumating. And wala naman ho sanang problemang makapasok iyon, first, kung

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talaga hong confirmed na mayroong medical emergency. But then, again, vehicle ho iyon na hindi organic sa House of Representatives, so it has to be approved by the Secretary General iyong access po noon. Hindi pa po namin alam dahil wala ho tayong tao doon sa kuwarto ni Atty. Lopez kung talaga hong legit iyong nararamdaman, iyong reklamo. So, in touch naman ho tayo through the protocol officers. At noong makumpirma nga ho natin na mayroon talagang medical emergency at hinintay pa ho natin iyong approval ni SecGen sa entry noong ambulansya nila, which is a requirement on my part dahil nakatali ho iyong kamay ko, iyong doktor po ang pinapasok natin. Iyong doktor na nasa loob ng ambulansya para ho ma-check ho si Atty. Lopez. And at the same time, we requested the Philippine National Police na magpadala ng ambulansya, which I know is about 15 to 20 minutes. Bakit po, Ma'am? Iyong ambulansya ng Philippine National Police, kailangan po siyang ilabas, I'm sure, kung talaga hong mayroong medical emergency. And 'pagka ho ambulansya ng Philippine National Police, wala na hong problema ang Sergeant-at-Arms na i-secure pa iyong motorgate dahil wala na po akong tao, Ma'am, na kaya ko pang mag-secure doon sa may sakit na maghahatid sa kaniya sa ospital. Iyon lang po iyong dahilan. At nakita niyo naman po mukhang tama naman po iyong mga naging desisyon namin at wala naman pong malubhang nangyari kay Atty. Lopez.

REP. M. A. B. SUANSING. So, Mr. Chair, base po sa sinasabi ni SAA, tumawag sila ng ambulansya ng ala-una ng madaling araw kahit walang medical emergency. So, ano po iyon, nakaabang lang? Siguro iyon po siguro iyong tanong ko na, is it...is it for ano po ba, appearances? Iyon po siguro, ano po iyong dahilan kung bakit sila tumawag ng ala-una ng madaling araw? Dahil po base po sa report ni SAA at ni SecGen, mga 2:30...pasado 2:30 na po ng madaling araw noong nagkaroon ng tunay na request para po...dahil mayroon na daw pong sinasabing medical emergency. At sinasabi nga din po ni SAA na noong nagkaroon na ng tunay na medical emergency at nag-request po sila ng ambulansya, within 15 to 20 minutes po dumating po iyong ambulansya.

So, Mr. Chair, I just wanted to ask SAA and SecGen, so wala pong kahit anong lebel na nag-deny o nag-delay po tayo ng medical treatment kay Usec. Lopez?

MR. VELASCO. Wala po. Kaya nga ako, iyong pinakahuling order ko po ay ilipat talaga sa Veterans kasi po St. Lukes is a private hospital. Sa Veterans is a government facility, so medyo may link tayo with them, 'no. Kung ano man ang sabihin noong mga doctor doon, at least from the government point of view. Kaya po, finally,

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in-order ko na noong tanghali ilipat na siya from St. Lukes para makita talaga natin iyong real medical condition niya.

REP. M. A. B. SUANSING. Mr. Chair, siguro po ang tanong ko lang po kay SecGen, sa kahabaan po ng panahon na nandoon siya sa detention facility, were there any measures on the part of the House to ensure her medical well-being? Mayroon po bang check-ups from time-to-time? Kasi sinasabi niya po noong press conference, "They know I'm sick. They know I'm sick." So, siguro po, tanungin lang po natin, doon po sa tatlong araw bago po nangyari iyong insidente na ito, mayroon po ba tayong pinapadala na mga doctor, pinapa-check-up po ba natin si Usec. Lopez?

MR. VELASCO. Mr. Chairman, in fact, hindi po tayo nagkulang doon, 'no. May medical team na naka-standby doon—morning, noon time and afternoon...late afternoon—mini-measure iyong vitals niya. But there was a point in time ayaw na niyang magpa-ano...magpa-measure. Gusto niya daw doctor niya. So, iyon po iyong naging problema natin, eh. Pero as far as we are concerned, hindi po tayo nagkulang. Pirming nandoon po, may medical team, mino-monitor iyon.

And this applies to all detainees, hindi lang po sa kanya. Lahat po ng detainees dito sa custodial center, mayroon pong medical team mini-measure iyong vitals nila—blood pressure, iyong heartbeat, mga ganiyan. Iyong mga simple tests lang po. Kaya lang 'pag mayroon pong kondisyon na hindi ma-measure noong equipment natin at noong doctor, nire-recommend po noong medical team na dalhin sa ospital for further tests. Iyan lang po ang nangyari kay Atty. Lopez, 'no, since ayaw niyang magpatingin dito sa mga doctor dito. At, iyon nga, hinimatay, nagsuka noong madaling araw, doon na po dinala natin sa ospital. Tapos ho by noon time, I decided doon sa Veterans para mas-confident tayo doon sa mga findings kaysa doon sa St. Lukes.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair. Those are all of my questions po. Sana po malinaw po sa mga...sa talakayan po natin ngayong umaga na malinaw at kalmado po iyong pag-serve ng transfer order. Wala pong barging in na naganap. Wala pong komosyon. Wala pong pagnakaw ng cell phone na naganap. Wala pong pagpipigil ng access sa abogado. Wala pong pag-break...Wala pong attempts na i-break down iyong pinto. Nabigyan po siya ng access sa medical personnel at medical services sa kahabaan noong kaniya pong pamamalagi sa ating detention facility, Mr. Chair. Siguro po napakabigat po kasi noong paratang na ibinato ni Usec. Lopez na merong...naramdaman niya po na parang may pagbabanta sa kaniyang buhay, hinaras *(harass)* siya, trineten *(threaten)* po siya. So, sana po, Mr. Chair, sa pamamagitan po ng ating talakayan ngayong umaga, naging malinaw po na

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trinato po nang mabuti ng ating LSB, ng mga tao dito po sa House of Representatives si Usec. Zuleika Lopez sa kaniya pong pamamalagi dito, Mr. Chair.

Maraming-maraming salamat po.

THE CHAIRPERSON. Thank you, Congresswoman Suansing.

REP. FRANCE L. CASTRO. Mr. Chair.

REP. KHONGHUN. Mr. Chair.

THE CHAIRPERSON. The Honorable Khonghun is recognized.

REP. KHONGHUN. Dalawang katanungan lang po, Mr. Chair.

Sergeant-at-Arms, OSAA...

(MS. JOY S. JARA TOOK OVER)

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REP. KHONGHUN. (Continuing)…Sergeant-at-Arms, OSAA, OSAA, Mr. Chairman, puwede ko ho bang i-direct…

THE CHAIRPERSON. Yes.

REP. KHONGHUN. … ang aking katanungan sa OSAA?

THE CHAIRPERSON. Yes, please continue.

REP. KHONGHUN. Sa ating Sergeant-At-Arms, napanood po natin iyong mga statements na binitawan po ng ating Vice President pati po ni Atty. Lopez, at nakita po natin iyong kaibahan ng istorya. Tingin po ba ninyo, OSAA, mayroong deliberate o pananadyang…pananadya na intensiyon na baguhin ang istorya kung ano talaga ang nangyari noong gabi na iyon para makakuha ng simpatya at magmukhaing masama ang Komite at ang Kongreso?

MR. TAAS. Mr. Chairman.

THE CHAIRPERSON. Yes, SAA, you're recognized.

MR. TAAS. Mr. Chairman, Your Honor, maraming salamat po sa inyong katanungan.

Ipagpaumanhin ninyo po at hindi ko ho napanood kahit na alin doon sa mga video na sinasabi ninyo na taliwas doon sa nangyari talaga ang sinasabi ng Pangalawang Pangulo. Subalit, iyong nga ho iyong siniguro ng Komite at saka ho namin na kaya naming protektahan at kaya naming patunayan iyong totoong pangyayari para nga po hindi kami masabihan na iba iyong galaw namin than doon sa sinasabi nilang nangyari.

So, we have all the videos, we all have the proofs, Mr. Chairman, to show na hindi po ano, hindi po…wala pong violation na nangyari doon sa buong period na iyon.

REP. KHONGHUN. So, hindi po totoo na nanganib ang buhay ni Atty. Zuleika na may sinasabing may attempted homicide, 'no, sa kanyang buhay na nangyari noong panahon na siya ay naka-diteni dito sa Kongreso?

MR. TAAS. Mr. Chairman, kung mayroon man hong manganganib ang buhay noon, maski po tayo ngayon na nandito, responsibilidad po ng Sergeant-At-Arms iyong mga mangyayari na ganoon.

So, noong mga oras na iyon, I'm on top of the situation. Sinisiguro ko pong walang mangyayari kahit na sino sa ating mga detainee, maging na rin sa ating Pangalawang Pangulo.

REP. KHONGHUN. Maraming-maraming salamat po, Chairman.

THE CHAIRPERSON. Thank you.

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The Honorable France Castro is recognized.

REP. F. L. CASTRO. Thank you, Mr. Chair.

Iyon na iyong tanong ko sana, 'no, iyong tungkol doon sa, Mr. Chair, iyong attempted homicide.

THE CHAIRPERSON. Before you continue…

REP. F. L. CASTRO. Okay.

THE CHAIRPERSON. …the Chair would like to recognize the presence of the Honorable Vice President Sara Duterte.

Please continue.

REP. F. L. CASTRO. Okay. Mr. Chair, so nakita natin, 'no, iyong melodrama…melodramatic na nangyari noong ano, 'no, noong weekend at nakita natin iyong kuwento noong ating mga…ni SecGen, SAA, tungkol doon sa—Mr. Chair, parang mayroong problema sa audio, Mr. Chair—at nakita natin, Mr. Chair, na talagang ano, 'no, taliwas sa mga napanood natin sa social media, doon sa mga reports iyong totoong nangyari.

Hello. Okay.

Okay. Thank you, Mr. Chair.

As I've said, 'no, doon sa mga kuwento na napanood natin sa statement ni VP Sara at saka sa statement ng COS ng OVP, so na-realize natin dito, taliwas doon sa kuwento nila iyong tunay na pangyayari. Of course, pinatunayan iyan, ano, noong interpellation ni Representative Suansing at saka ni Congressman Khonghun.

So, Mr. Chair, in our last session, so just to review, the Committee passed my motion to hold Atty. Lopez in contempt under Section 11 (f) of the Rules of Inquiries, in aid of legislation, for undue interference in our proceedings and resolved to detain her for a period of 5 days instead of 10 days or maximum of 10 days, as provided for in our Section 12 of the same Rule.

I must stress also, Mr. Chair, that the totality just you have said a while ago, the totality of Atty. Lopez's acts and conduct warranted a detention of more than five days considering the totality of her acts of undue interference to the proceedings of this Committee and the Congress as a whole. She not only admitted writing to the COA in order to suppress or prevent the release of documents, but worst, Mr. Chair, she continued to assert her position during our hearing as well as in prior correspondences that she sent to this Committee in refusing to attend our prior…our prior hearings. But by virtue of her conduct, the Committee was deprived of invaluable information

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necessary to allow it to perform its role of crafting legislation for the improvement of the country system of governance and transparency, Mr. Chair. In fact, she only attended when a threat of contempt citation loomed large should...should she fail to comply again with the subpoena *duces tecum*, Mr. Chair.

Mr. Chair, in view of what happened during the last two days or so, I would like to consider to move for a reconsideration of our last solution insofar as it limited the period of detention for only five days. I move, Mr. Chair, that the period of detention of Atty. Lopez be 10 days instead of 5 days. So moved, Mr. Chair.

THE CHAIRPERSON. Ten days, so, additional five days, tama po ba?

REP. F. L. CASTRO. Yes, Mr. Chair, kasi hindi na siya uma-attend...makaka-attend ngayon, ano? Talagang ano, 'no, so, nakita na naman natin sa history noong kanyang evasive attitude, behavior, at itong krinieyt *(create)* niya na sinasabi niya na pagsisinungaling niya na hindi naman siya hinaras *(harass)* or hindi naman siya na-barge iyong kanyang...iyong room ay kasama na po iyan. So, iyong lahat ng mga pangyayari, Mr. Chair.

So, I repeat. I move to extend the period of contempt of Atty. Zuleika Lopez, Mr. Chair.

THE CHAIRPERSON. Is there second to the motion?

REP. MARCOLETA. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Congressman Marcoleta.

REP. MARCOLETA. Thank you, Mr. Chair.

Before an action may be taken by the Committee, may I know how the totality of evidence was evaluated that merited the contempt order by the Chair?

THE CHAIRPERSON. Congresswoman Castro.

REP. MARCOLETA. Mr. Chair, I'd like to...

REP. F. L. CASTRO. Mr. Chair, may I answer.

REP. MARCOLETA. I'd like to apprise the...

THE CHAIRPERSON. Yes, Congresswoman...

REP. MARCOLETA. ...of course, Mr. Chair...

THE CHAIRPERSON. ...Castro.

REP. F. L. CASTRO. So...

REP. MARCOLETA. ...that in the case of Cong...

REP. F. L. CASTRO. Sino po ang ina-acknowledge ninyo, nire-recognize ninyo, Mr. Chair?

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THE CHAIRPERSON. Congressman Marcoleta...

REP. MARCOLETA. This is...this is a point of information...

REP. F. L. CASTRO. Okay.

REP. MARCOLETA. ...Mr. Chair...

THE CHAIRPERSON. Yes.

REP. MARCOLETA. ...this is something that has to do with the rights...

THE CHAIRPERSON. Congressman Marcoleta...

REP. MARCOLETA. ...to liberty of people. In the court...

THE CHAIRPERSON. Congressman Marcoleta, let us...the Chair recognizes Congresswoman Castro.

REP. F. L. CASTRO. So, may I ask, Mr. Chair...

THE CHAIRPERSON. Please proceed, Congresswoman Castro.

REP. F. L. CASTRO. Mr. Chair, may I ask the action of the Committee first on my motion, Mr. Chair, before we entertain...

THE CHAIRPERSON. We will rule on the motion first.

REP. F. L. CASTRO. Okay. Okay.

THE CHAIRPERSON. Is there any second to the motion?

MS. SY. Mr. Chair, may I be recognized first.

THE CHAIRPERSON. Duly seconded. Is there any objection?

MS. SY. Mr. Chair.

REP. MARCOLETA. Mr. Chair, I...

THE CHAIRPERSON. Hearing none, the motion is carried.

REP. MARCOLETA. ...I was recognized...

MS. SY. Mr. Chair.

REP. MARCOLETA. ...earlier before any action may be taken by the court...by the Chair. Why is it that I am not allowed to speak?

THE CHAIRPERSON. Congressman Marcoleta, there is a pending motion. We just acted on the...

REP. MARCOLETA. Yes, but before...

THE CHAIRPERSON. ...pending motion first.

REP. MARCOLETA. ...that motion can be taken up because this...this is about liberty of an individual. May I be...may I be heard...

(MS. RUTH T. PALLES TOOK OVER)

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REP. MARCOLETA. (Continuing)... may I be heard?

THE CHAIRPERSON. Yes, you will be heard, Congressman Marcoleta. But we just acted on the motion.

Now, Congresswoman Castro, please... could you please answer the query of Congressman Marcoleta.

REP. MARCOLETA. I have not yet asked the question, Mr. Chair.

THE CHAIRPERSON. Okay. Please continue.

REP. MARCOLETA. I am trying to explain my point.

THE CHAIRPERSON. Please continue, Congressman Marcoleta.

REP. MARCOLETA. Because in the totality of evidence, as stated by Honorable Castro, there is an existing case, Mr. Chair, Ong versus Senate, G. R. No. 257401, which says that the court ruled that the determination of whether a testimony was false or evasive requires an assessment of the totality of evidence presented to determine whether a witness speaks truthfully or merely trying to evade answering the question directly.

So, I am asking, Mr. Chair, how was the totality of evidence assessed, if ever it was assessed? Ano po iyong pinagbatayan? I... I think we deserve to know how the assessment was made. This concerns the liberty of an individual. Under the Constitution, no one should be deprived of life, liberty or property without due process of law. I think Attorney Lopez deserves to be heard. Ano po iyong assessment na ginawa ng Chair o ng Committee? Kasi po ang nais... ang nabasa ko lang o nakita ko, Mr. Chair, Attorney Lopez wrote the COA explaining the position of the OVP that the audit observation memo is not conclusive. Which means, Mr. Chair, Attorney Lopez is merely explaining the nature of an audit observation memo. If I were the lawyer of the OVP, I would have done the same because I think the very nature of the AOM, it is not final and executor. Why would... Why would the COA abdicate its mandate of auditing the transaction or the funds utilization of the OVP? Why would the Committee, Mr. Chair, arrogate upon itself the very mandate and responsibility of the Commission on Audit?

Article IX(D), Section 2, paragraph 1 of the 1987 Constitution, Mr. Chair, I will read, "The Commission on Audit shall have the power, authority, and THE duty to

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examine, audit, and settle all accounts pertaining to the revenue and receipts of, and expenditures or uses of funds and property." Mr. Chair, this constitutional provision jibes with Section 25, paragraph 2 of Presidential Decree 1445 or the State Audit Code of the Philippines, which says, "To develop and implement a comprehensive audit program that shall encompass an examination of financial transactions, accounts, and reports, including evaluation of compliance with applicable laws and regulations." Meaning to say, Mr. Chair, the mandate and authority to audit accounts on the expenses or expenditures of government is only the COA. I believe... It is my respectful submission, Mr. Chair, that this Committee usurped that particular mandate and that will now put the Commission on Audit positions in a compromise, Mr. Chair. How now... How will you now assess the authority, the integrity and the mandate—it is an independent constitutional body which mandate rest upon them? And I think the Audit Observation Memo, Mr. Chair, is still under process by the Committee...by the Commission on Audit. Why would we take that responsibility from the Commission on Audit? Why don't we allow the process to proceed and complete their investigation?

I am raising a constitutional issue before this Committee, Mr. Chair. We cannot arrogate upon ourselves the principal mandate reposed to the COA. It is the Constitution itself which gave them that responsibility, that authority, and mandate. Where, where in Article VII of the Philippine Constitution, which is the grant of legislative power, can this Committee arrogate upon itself that particular mandate? I would like that question to be answered, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Marcoleta.

The Chair would like to recognize the Honorable Congressman Paduano.

REP. JOSEPH STEPHEN "CARAPS" S. PADUANO. Thank you, Mr. Chairman.

Mr. Chairman, just to clear it out with regard to the jurisprudence that was cited by the Honorable Marcoleta with regards to Ong versus Senate. That is true, 'no, that the... the resolution of the Supreme Court favors Linconn Ong but, but that is a question of due process because Linconn Ong was, at that time, was cited in contempt. Now, question of... question of the case of...

REP. MARCOLETA. Mr. Chair, I directed the question to you...

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REP. PADUANO. Sandali po. I am not yet finished my manifestation or answer the query of the Honorable Marcoleta, Mr. Chairman...

REP. MARCOLETA. Mr. Chair, was the Honorable... *(Inaudible/Microphone not activated)*

THE CHAIRPERSON. Please wait to be recognized... Congressman Marcoleta, wait to be recognized.

REP. PADUANO. Mr. Chairman. Mr. Chairman, I have all the right...

THE CHAIRPERSON. Congressman Paduano, you have the...

REP. MARCOLETA. Mr. Chair, the question was addressed to the Chair ...*(Inaudible/Microphone not activated)*

THE CHAIRPERSON. Congressman Marcoleta, let me first recognize Congressman Paduano.

REP. MARCOLETA. Before you answer... Before you recognize him, I deserve...

THE CHAIRPERSON. Congressman Marcoleta, you are out of order.

REP. MARCOLETA. ...I deserve, Mr. Chair, an answer.

THE CHAIRPERSON. One minute suspension is declared by Chair.

Suspension: 12:11 p.m.

Resumption: 12:15 p.m.

THE CHAIRPERSON. Committee hearing resumes.

REP. F. L. CASTRO. Mr. Chair.

THE CHAIRPERSON. The Chair would like to recognize the ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honor, I would like to recognize Honorable Joseph "Jojo" Lara from the 3rd District of Cagayan; Honorable Roberto T. Uy, Jr., Vice Chairperson from the 1st District of Zamboanga del Norte; Honorable Loreto S. Amante from the 3rd District of Laguna; Honorable Raoul Danniel A. Manuel from KABATAAN Party List; Deputy Majority Leader Jude A. Acidre from TINGOG Party List; Deputy Majority Leader Franz S. Pumaren from the 3rd District of Quezon City; Honorable Daphne A. Lagon from the 6th District of Cebu; Honorable Rhea Mae A. Gullas from the 1st District of Cebu; Honorable Jaime D. Cojuangco from 1st District of Tarlac.

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That's it, Your Honor. Thank you.

THE CHAIRPERSON. Thank you, ComSec. To...

REP. F. L. CASTRO. Mr. Chair.

THE CHAIRPERSON. ...before I recognize Congresswoman France Castro.

REP. F. L. CASTRO. Yeah. So, before anything else, Mr. Chair.

THE CHAIRPERSON. Yes.

REP. F. L. CASTRO. Before you ask...you answer the question of Honorable Marcoleta, may I be cleared out po iyong sa aking motion. So, my motion is on the table, so may I know the decision of the Chair?

THE CHAIRPERSON. Tapos na po. Na-declare...

REP. F. L. CASTRO. So...

THE CHAIRPERSON. ...Nakapag-act na po ang Chair.

REP. F. L. CASTRO. Okay, so wala na po tayong ano doon?

THE CHAIRPERSON. Wala na po. There is no pending motion.

REP. F. L. CASTRO. Okay. Thank you, Mr. Chair.

THE CHAIRPERSON. Yes.

To answer the question of the Honorable Marcoleta with respect to the totality of acts of Attorney Lopez, the Chair already explained it clearly in my opening remarks, and I will repeat Congressman Marcoleta, "While Attorney Lopez presented herself as respectful or courteous, nakita po ng Committee na ang kanyang mga sagot at mga pagkilos mula sa mag-umpisa ng inquiry na ito ay evasive, uncooperative and untruthful.

The suma... Ang sumatotal at kabuuan ng kanyang mga acts and responses ultimately convinced the Committee that Attorney Lopez was guilty of interfering in and frustrating Congress exercise of its power of legislative inquiry. Halimbawa, isolated incident lang daw ang kanyang pagtanggal kay Usec Gloria Mercado sa DEPED. Subalit napaamin rin siya kalaunan na may mga iba pa siyang tinatanggal na opisyal sa DEPED kahit na hindi siya opisyal nito.

Paulit-ulit din pong sinabi ni Attorney Lopez na wala siyang alam sa utilization ng confi fund ng OVP. Paulit-ulit ito na sagot subalit may mga dokumento at ebidensiya kagaya na lamang ng mga sulat sa COA at testimonya mismo ng iba pa

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nitong resource persons na nagtuturo kay Attorney Lopez bilang involved, hindi lang sa pag-request ng confi fund kundi pati na rin sa utilization at liquidation nito. Inamin ni Attorney Lopez na sila ng kanyang Assistant COS na si Lemuel Ortonio ang nakalagda sa sulat sa COA patungo sa liquidation ng Confidential Funds. Inamin niya rin na nag-issue siya ng isa pang sulat na tinatangkang pigilan ang COA sa pag-comply sa isang *subpoena*...

(MS. RHUPA D. RAMIL TOOK OVER)

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THE CHAIRPERSON. (Continuing)...comply sa isang *subpoena* mula sa Kongresong ito. Ilang beses rin po nakatanggap ang Committee ng mga iba pang sulat mula kay Atty. Lopez na tumatangging humarap sa Committee on the basis of the same grounds na kanyang inilahad sa sulat ng COA.

Kung titingnan po ang totality of Atty. Lopez's acts, malinaw na mayroong clear, persistent and willful attempt to interfere, frustrate and defeat the inquiry undertaken by the Committee. At dahil dito ay nahatulan siya ng contempt under Section 11(f) of our Rules of Procedure Governing Inquiries in Aid of Legislation.

During the course of the hearing, Atty. Lopez was asked, tinanong po siya kung sila po ay nagsampa ng kaso dito po sa Supreme Court, dito po sa request ng Kamara para humingi po ng mga dokumento at sinabi po niya ay hindi. Ang act po ng Congress, ito po ay nadesisyunan na noong nakaraang Committee hearing, at ang...kung mayroon man pong question sa constitutionality na ginagawa po ng Kamara, at any time, pupuwede po tayong mag-question sa Supreme Court via Petition for Certiorari.

Maraming salamat po, Congressman Marcoleta.

REP. MARCOLETA. Mr. Chair, iyon na nga po iyong tinatanong ko sa inyo kanina kung papaano ginanap iyong assessment ng totality of evidence. Sapagkat kung napansin po ninyo, isinama po iyong diumano ay pagtatanggal ng ibang kawani ng DEPED na wala yatang...ang pagkakatining ko po sa mga minutes ay wala pong due process na pinagtatanggal po sila. Isa po iyon yata sa ebidensya na ipinasok ninyo sa totality. Tama po ba?

THE CHAIRPERSON. Isa lamang po iyon sa mga napag-usapan po.

REP. MARCOLETA. Opo. Gusto ko lamang pong...

THE CHAIRPERSON. Tama po.

REP. MARCOLETA. ...puntuhan iyon sapagkat, ako po, ako po bilang isa, tinanggal po ako sa lahat ng aking Committee. Hindi ko man lang po alam kung ano iyong kasalanan ko. I was not even informed. The first element of due process is notice. I was not notified. What did I do wrong? Wala po. Pero pinagtatanggal po ako, eh, tinanggap ko naman, eh. Pero wala pong due process. Iyon po ang gusto kong ipaintindi rin. Pati nga po iyong membership ko sa Commission on Appointments na wala namang kinalaman dito sa gawain natin sa Kongreso, tinanggal din po ako roon. Mayroon po bang due process? Tingnan po ninyo iyong ginawa niyang sulat.

REP. FERNANDEZ. Point of order, Mr. Chairman.

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REP. SUAREZ. Point of order.

REP. FERNANDEZ. Point of order.

THE CHAIRPERSON. What is the point of order, Congressman Fernandez?

REP. FERNANDEZ. I think, Mr. Chairman, the good gentleman is not under investigation in this Committee, and we are investigating other matter. If he wanted to be investigated in that matter...

REP. MARCOLETA. Mr. Chair.

REP. FERNANDEZ. I think, Mr. Chairman...

REP. MARCOLETA. I still have the floor, Mr. Chair.

REP. FERNANDEZ. ...this is not the right forum.

THE CHAIRPERSON. The point of order is proper.

REP. FERNANDEZ. I still have the floor, Mr. Marcoleta.

REP. MARCOLETA. What is the point of order?

THE CHAIRPERSON. Congressman Marcoleta, please wait to be recognized.

REP. ACOP. Motion to suspend, Mr. Chair.

THE CHAIRPERSON. One-minute suspension is declared by the Chair.

Suspension: 12:21 p.m.

Resumption: 12:23 p.m.

THE CHAIRPERSON. Committee hearing resumes.

REP. ACOP. Mr. Chair.

REP. MARCOLETA. May I continue, Mr. Chair?

REP. ACOP. Mr. Chair.

REP. MARCOLETA. The point of order.

THE CHAIRPERSON. Congressman Acop is recognized.

REP. ACOP. With the indulgence of the Honorable Marcoleta.

Mr. Chair, I think we be...we might as well agree to disagree with one another here, bago po tayo magpatuloy, 'di po ba?

THE CHAIRPERSON. Yes. I agree, Congressman Acop.

REP. ACOP. So, we follow our rules. The Honorable Marcoleta is a Member of this Congress, so he knows the rules and he is obligated to follow the rules. Otherwise, he will be declared out of order, and be taken out of this room. So, for all of us, Members of Congress, let's follow the House Rules, that's why they are there for orderly proceedings. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Acop.

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We will now proceed to the next item in our agenda.

Wala na po tayong...

MS. SARA Z. DUTERTE (Vice President, Republic of the Philippines). Mr. Chair. Respectfully, may I say something?

THE CHAIRPERSON. Yes, Honorable...

REP. F. L. CASTRO. Mr. Chair.

MS. DUTERTE. Yes.

REP. F. L. CASTRO. Mr. Chair.

THE CHAIRPERSON. Honorable Vice President, before I recognize you, would you like to take your oath?

MS. DUTERTE. Mr. Chair.

THE CHAIRPERSON. I will only recognize you if you will take your oath.

MS. DUTERTE. Okay.

THE CHAIRPERSON. Okay.

MS. DUTERTE. Let's do this.

THE CHAIRPERSON. Please administer the oath of the Honorable Vice President.

At this juncture, the resource person stood up to take her oath.

THE ACTING COMMITTEE SECRETARY. Your Honor, please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth in this inquiry, so help you God?

MS. DUTERTE. Yes.

THE ACTING COMMITTEE SECRETARY. The oath has been administered, Your Honors.

THE CHAIRPERSON. Thank you.

I will recognize you now...

MS. DUTERTE. Okay.

THE CHAIRPERSON. ...Honorable Vice President.

MS. DUTERTE. Yes. Mr. Chair, the position of undersecretary and assistant secretaries and other appointed positions are positions of trust and confidence by the appointing authority. The resignation letters of the Usecs and ASecs of DEPED were accepted by the appointing authority, and who is that, Mr. Chair? The President of the Republic of the Philippines.

THE CHAIRPERSON. Yes.

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MS. DUTERTE. It is not the Secretary of the Department of Education. So, you ask the President of the Republic of the Philippines, why he accepted the resignation of the Usecs and the ASecs?

THE CHAIRPERSON. What is the point, Honorable Vice President?

MS. DUTERTE. *Ang sinasabi ko sa inyo, bakit niyo kini-question ang due* process? Tanungin niyo ang appointing authority, bakit niya tinanggap ang resignation letter?

THE CHAIRPERSON. Madam Vice President...

MS. DUTERTE. Yes, Sir.

THE CHAIRPERSON. ...we will...wala pa po tayo doon sa usapin na iyon.

MS. DUTERTE. Sa anong usapin, Sir?

THE CHAIRPERSON. Later po. Later po sa binabanggit po ninyo.

MS. DUTERTE. Sa anong...

THE CHAIRPERSON. Wala pa po tayo sa period of interpellation. Bubuksan ko pa lamang po ang period of interpellation.

MS. DUTERTE. Yes, Sir. Nandoon na kayo sa topic. Hindi po tayo nag-i-interpellation ngayon.

THE CHAIRPERSON. Madam Vice President, nag-uusap po muna ang mga Miyembro.

MS. DUTERTE. Yes, Sir.

THE CHAIRPERSON. So, please do respect iyong mga...

MS. DUTERTE. Yes, I am very respectful. I am dovetailing from Congressman Marcoleta. The appointing authority is the President of the Republic of the Philippines. Why are you questioning due process in a discussion of resignation of Usecs and ASecs?

THE CHAIRPERSON. Wala pa pong nagtatanong about that, Madam Vice President.

MS. DUTERTE. Sir, kinontempt (*contempt*) niyo na iyong...

THE CHAIRPERSON. Madam...

MS. DUTERTE. Sir, dineteyn (*detain*) niyo na iyong tao for due process.

THE CHAIRPERSON. Madam Vice President...

MS. DUTERTE. Sir, nasa loob ng detention ang tao because you question due process. Nasaan ang explanation ng due process ninyo doon? Nasaan?

THE CHAIRPERSON. Madam Vice President.

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MS. DUTERTE. Tinanong kita kanina. I'm sorry, Sir. Tinanong kita kanina, sino ang appointing authority ng Usec, ng ASec? Ano ang sagot mo? Secretary.

THE CHAIRPERSON. Hindi pa po...

MS. DUTERTE. Hindi mo alam.

THE CHAIRPERSON. Hindi pa po ako sumasagot.

MS. DUTERTE. Hindi mo...Nakita kita sumagot. Camera. Nakita kita sumagot. Sinabi mo, Secretary.

REP. PADUANO. Mr. Chairman, motion to suspend.

REP. SUAREZ. Point of order.

MS. DUTERTE. Hindi ninyo alam lahat...

THE CHAIRPERSON. One-minute...

MS. DUTERTE. ...na ang nag-a-appoint ay President.

THE CHAIRPERSON. One-minute suspension is declared by the Chair.

Suspension: 12:27 p.m.

Resumption: 12:31 p.m.

THE CHAIRPERSON. Committee hearing resumes.

REP. FERNANDEZ. Mr. Chairman.

MS. DUTERTE. Mr. Chair.

REP. FERNANDEZ. Mr. Chair, may I?

MS. DUTERTE. Mr. Chair.

REP. FERNANDEZ. May I be allowed?

THE CHAIRPERSON. Yes, Madam Vice President.

MS. DUTERTE. Yes. You need to reconsider that extension of your detention. It was illegal in the first place. You ask the President why he accepted the resignation. Do not ask due process.

REP. PADUANO. Mr. Chairman.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Paduano.

Congressman Acop.

REP. ACOP. Mr. Chair, Madam Vice President, if you have any question, insofar as the actions of this Committee are concerned, I think the proper remedy is for you to go to the court.

MS. DUTERTE. Sir, I will go to court.

REP. ACOP. Opo. Pero that is where...

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MS. DUTERTE. Oo. Pero araw-araw, you are depriving a person of her liberty while I await.

REP. ACOP. That is precisely the point, Ma'am. If our action of detaining your Chief of Staff is against the law, I think the proper remedy, and I think you are a lawyer...

MS. DUTERTE. Yes, Sir.

REP. ACOP. ...the proper remedy is to go to the court.

MS. DUTERTE. Sir, do you really want to show the Filipino people kung ano ang kaalaman ninyo sa batas?

REP. ACOP. Ang sinasabi ko lang po ay...

MS. DUTERTE. Oo.

REP. ACOP. ...sundin po natin iyong batas dito sa House.

MS. DUTERTE. Kaya nga, Sir. Sundin natin iyong batas.

REP. ACOP. Kasi nandito po kayo, dito sa bahay ng Kongreso.

MS. DUTERTE. Yes, Sir. Sundin natin iyong batas. Why will you penalize, punish Usec. Lopez for an act of the President?

THE CHAIRPERSON. Madam Vice President, that is the act...that is the decision of the Committee as a whole. Sana po respetuhin po ninyo.

MS. DUTERTE. Yes, Sir.

THE CHAIRPERSON. Kung mayroon pong remedy...

MS. DUTERTE. Okay.

THE CHAIRPERSON. ...alam naman po ninyo bilang abogado na tama po iyong sinasabi ni Congressman Acop, puwede po tayong mag-file ng relief sa court.

MS. DUTERTE. Okay. Sige, Sir. Tinutulungan ko lang kayo, Sir. Kasi napapahiya ang Pilipinas. [redacted] Tinutulungan ko lang kayo.

THE CHAIRPERSON. Maraming salamat po, Madam Vice President.

REP. SUAREZ. With all due respect, Mr. Chair.

THE CHAIRPERSON. Yes, Congressman...

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. ...Deputy Speaker Suarez.

REP. SUAREZ. I move that we strike out...Yeah. I move to strike out that last comment as said about the House of Representatives. I don't think that is warranted, neither is it fair to make statements such as that. So moved, Mr. Chair.

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REP. AURELIO "DONG" D. GONZALES, JR. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

REP. FERNANDEZ. And, Mr. Chairman...

THE CHAIRPERSON. Yes, Congressman Dan Fernandez.

REP. FERNANDEZ. ...may we remind all the resource persons to address the Chairman? Kasi nakakawala po ng respeto sa Committee na ito kung hindi po natin ia-address ang Chairman.

Maraming salamat po, Mr. Chair.

THE CHAIRPERSON. Thank you.

We will now continue to the next item in our agenda.

We will now proceed to the interpellation proper. The first to interpellate...

(MS. GIALINA V. CEJES TOOK OVER)

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THE CHAIRPERSON. (Continuing)...first to interpellate is the Honorable Congressman Acop.

REP. ACOP. Thank you, Mr. Chair.

May I ask Mr. Edward Fajarda? Mr. Fajarda, you were the Special Disbursing Officer during the period when Vice President Sara Duterte was the Secretary of DEPED?

MR. EDWARD D. FAJARDA (Former Special Disbursing Officer, Department of Education). Your Honor, Mr. Chair...

THE CHAIRPERSON. Edward Fajarda, you are recognized.

MR. FAJARDA. Your Honor, Mr. Chair, I confirm.

REP. ACOP. Thank you. Would you also confirm the three Land Bank checks, each amounting to 37.5 million, were issued to you as payee and were encashed by you? Would you confirm that?

THE CHAIRPERSON. Mr. Fajarda, you are recognized.

MR. FAJARDA. Your Honor, I confirm.

REP. ACOP. Thank you. And would you also confirm that you certified the correctness of the liquidation reports on the use of the DEPED confidential funds and, in fact, issued the corresponding certification? Would you confirm that?

MR. FAJARDA. Mr. Chair, puwede pong paulit lang po noong question regarding doon sa issued ng certification?

THE CHAIRPERSON. Congressman Acop, please repeat.

REP. ACOP. Yes, Mr. Chair.

Mr. Fajarda, can you... Did you certify to the correctness of the liquidation reports on the use of the DEPED confidential funds and, in fact, issued the corresponding certification?

MS. DUTERTE. Mr. Chair, wala kaming kakampi dito, walang maka-point of order para sa amin. How can you ask a resource person without giving him copies...

THE CHAIRPERSON. Madam Vice...

MS. DUTERTE. ...without giving him copies.

REP. F. L. CASTRO. Mr. Chair. Point of order, Mr. Chair.

THE CHAIRPERSON. Madam Vice President, please wait to be recognized.

MS. DUTERTE. Give him copies.

THE CHAIRPERSON. Point of order.

What's the point of order of the Honorable Castro?

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REP. F. L. CASTRO. Yes, Mr. Chair. Representative Acop is asking our resource person, why is it that the Vice President is butting, 'no?

MS. DUTERTE. Yes, Ma'am.

THE CHAIRPERSON. Yes, the point of order is proper.

REP. F. L. CASTRO. *Hindi po dapat ganoon.*

MS. DUTERTE. Kasi wala kaming kakampi dito, Ma'am.

REP. F. L. CASTRO. Pero dapat pakinggan muna natin.

MS. DUTERTE. Walang maka-point of order.

THE CHAIRPERSON. One-minute recess by the Chair.

REP. F. L. CASTRO. Well, point of order...

Suspension: 12:37 p.m.

Resumption: 12:40 p.m.

THE CHAIRPERSON. Session resumes.

Please continue, Congressman Acop.

REP. ACOP. Thank you, Mr. Chair. Before I proceed, I would like to ask COA.

COA, would you agree that three Land Bank checks, each amounting to 37.5 million, were issued to Mr. Edward Fajarda as payee?

THE CHAIRPERSON. Atty. Camora, you are recognized.

MS. GLORIA A. CAMORA (Attorney V, Intelligence and Confidential Funds Audit Office, Commission on Audit). Yes, Mr. Chair.

REP. ACOP. And did Mr. Edward Fajarda certify to the correctness of the liquidation reports on the use of the DEPED confidential funds and, in fact, issued the corresponding certification?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. And Mr. Fajarda and Madam Acosta also prepared the corresponding accomplishment reports for the use of the DEPED confidential funds? Would that be correct?

MS. CAMORA. Mr. Fajarda... Yes, Mr. Chair.

REP. ACOP. Could you please repeat your answer, Madam?

MS. CAMORA. Mr. Fajarda for DEPED, Mr. Chair.

REP. ACOP. Yes. Now, may I know, Mr. Edward Fajarda, si Ms. Sunshine po ay asawa po ninyo.

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. And Ms. Sunshine Fajarda, eh, nagtatrabaho rin doon sa Office ng Vice President.

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MR. FAJARDA. During DEPED po, kasama ko po siya.

REP. ACOP. Yes, thank you.

Now, Mr. Chair, para lang ma-recall po natin, si Ms. Sunshine ang pinangalanan ng ating mga resource persons natin noong mga nakaraang hearing na *nag-abot ng payola money sa mga empleyado ng DEPED at sinasabi niya na ito ay* galing kay Vice President Sara. Bagay na bagay sa kanya ang kanyang pangalan, talagang sunshine siya dahil paano ba naman hindi iilaw ang mukha mo 'pag naabutan ka ng pera. Meanwhile, si Mr. Fajarda naman ang pinapangalan noong nakaraang hearing na noong una ay nagpoproseso ng payola money through Land Bank payroll accounts ng field personnel, pero due to supposed security reasons, hiningi niya ang personal ATM account numbers para doon na lang ipapadala ang payola ng field personnel effectively by passing the official documentation of all the transactions.

In short, Mr. Fajarda, kayong mag-asawa ay nagtatrabaho para kay Vice President Sara, tama po ba?

THE CHAIRPERSON. Mr. Edward Fajarda.

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Kayo ni misis...ni Ms. Sunshine ay galing sa Davao, tama rin po ba?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Bago kayo nagtrabaho under DEPED with Vice President Sara as the Secretary, si Ms. Sunshine ay nagtrabaho for VP Sara noong siya ay Mayor ng Davao City, tama po?

THE CHAIRPERSON. Mr. Fajarda.

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. In other words, Mr. Fajarda, lumipat kayo ng Maynila to serve the...to serve under the Office of the Vice President and in DEPED, tama rin po ba?

MR. FAJARDA. Your Honor, iyon po kasing asawa ko nasa Manila, ako po ay nasa Davao, so I decided na mag-apply po ako sa DEPED kaya nagkasama po kami.

REP. ACOP. Noong si Vice President Sara ay base po sa...naka-base po sa Davao as the City Vice Mayor, hindi po kayo part ng kanyang staff, tama rin po ba?

MR. FAJARDA. Tama po, Your Honor.

REP. ACOP. Tama. In short, bago kayo naging SDO, or Special Disbursing Officer ng DEPED, wala po kayong involvement kay Vice President Sara.

MR. FAJARDA. Yes, Your Honor.

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REP. ACOP. All right. Dahil sa inyong asawa, si Ms. Sunshine, kayo po ay nakilala ni Vice President Sara, tama rin po ba iyon?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Samakatuwid, tama rin po ba na ang pagiging Special Disbursing Officer ninyo ay ang first job ninyo kay Vice President?

MR. FAJARDA. Your Honor, Executive Assistant po ako bago po ako naging SDO, Special Disbursing...

REP. ACOP. So, hindi ito ang first time na trabaho po ninyo kay Vice President.

MR. FAJARDA. Executive Assistant po.

REP. ACOP. Yes. Ang SDO appointment...ang SDO ay isang appointment by the head of office, would you agree with that?

MR. FAJARDA. I believe po, trust and confidence po.

REP. ACOP. Oo, pero ang nag-a-appoint iyong head of office.

MR. FAJARDA. Opo.

REP. ACOP. Thank you. In other words, pinili po kayo ni Vice President na maging Special Disbursing Officer, tama?

MR. FAJARDA. By trust and confidence po.

REP. ACOP. Yes, okay.

Mr. Chair, as we can see, iisa lang ang credential ni Mr. Fajarda upang siya ay piliin ni Vice President Sara para maging SDO, ito ay dahil siya ay asawa ni Ms. Sunshine. Alam naman natin ang posisyon na SDO requires trust dahil malaki ang funds na involved dito. Sinabi na rin ni Mr. Fajarda iyon. For the case of DEPED, kay Mr. Fajarda unang ibinigay ang confidential funds na umaabot ng mahigit isandaang milyon.

Mr. Fajarda, are you a regular employee within the meaning of our Civil Service?

MR. FAJARDA. Mr. Chair, Executive Assistant po...

(MS. REGILYN B. ENCIO TOOK OVER)

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MR. FAJARDA. (Continuing)...Mr. Chair, Executive Assistant po is also appointed po ng head of the office, of the agency, considered po as a regular employee.

REP. ACOP. Considered as a regular employee and, therefore, covered po ng Civil Service rules, would you agree?

MR. FAJARDA. Mr. Chair, hindi po ko…hindi po ako masiyadong maalam sa rules po ng Civil Service. So, can I ask someone?

REP. ACOP. Kasi, if you're…if you're a regular employee under our Civil Service rules, the fact that you are appointed in the DEPED as co-terminus with the Vice President and then Secretary of Education, are you trying to tell this Committee that a co-terminus employee would be a regular employee within the meaning of our Civil Service rules? And if no naman, I think you would also be aware that under a joint circular, a special disbursing officer must be a regular employee?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Okay. Thank you. Now, the question is, are you or do you consider yourself a regular employee despite your being a co-terminus employee?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. So, you are a regular employee? You consider yourself such? Okay. But as a co-terminus employee, you serve at the pleasure of your principal, tama rin?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Meaning, the principal is the Vice President?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And she can remove you from office at any point in time, tama rin?

MR. FAJARDA. Opo, Your Honor.

REP. ACOP. Thank you. Mr. Chair, at the appropriate time, I wish to explore legislation on this manner, because an SDO cannot be co-terminus…cannot be a co-terminus employee. We have to remember that confidential funds, when granted to a civilian agency, is related to the functions of the agency itself. As such, the person handling it must be a career employee, preferably of that agency, so that we are certain where loyalty lies, not just…no just…not just a co-terminus employee where incentives are aligned towards ensuring that the principal is pleased with his or her performance.

Do we have a representative of the Bureau of Treasury, Mr. Chair?

THE CHAIRPERSON. ComSec.

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THE ACTING COMMITTEE SECRETARY. Your Honor, Bureau of Treasury was informed belatedly, but they will try their best to appear today, Your Honor.

REP. ACOP. So, they are not present today?

THE ACTING COMMITTEE SECRETARY. Not present today, Your Honor.

REP. ACOP. Kasi, Mr. Chair, ang tatanungin ko po sana is tungkol po doon sa fidelity bond, and the representative of the Bureau of Treasury is the appropriate or proper person to explain to us iyong fidelity bond *vis-à-vis* the accountable officer...

THE ACTING COMMITTEE SECRETARY. Your Honor...

THE CHAIRPERSON. Congressman Acop, I think the Bureau of Treasury...the representative of Bureau of Treasury is present.

THE ACTING COMMITTEE SECRETARY. May I please recognize Atty. Jerekko Cadorna, OIC for the Complaints and Investigation Division of the Bureau of Treasury, Your Honor.

THE CHAIRPERSON. Nakapag-oath na po ba siya, ComSec?

THE ACTING COMMITTEE SECRETARY. Previously...in the previous hearings, Your Honor, he has already taken his oath.

THE CHAIRPERSON. Okay.

Please take your seat, Atty. Cardona.

Please proceed, Congressman Acop.

REP. ACOP. Thank you, Mr. Chair.

Attorney, bago i-discuss po natin iyong fidelity bond, maaari po ba ninyong i-explain sa amin o sa Komite na ito at saka mga nandito ngayong araw na ito ano ang accountable officer at sino po ang mga puwedeng maging accountable officers?

MR. JEREKKO A. CADORNA (Officer-in-Charge, Complaints and Investigation Division, Bureau of Treasury). Good afternoon, Your Honor and to the Honorable Committee. Your Honor, to answer the question of Your Honor, we...as for the Bureau of the Treasury in our fidelity bonding operations, to determine who is an accountable officer, we refer to the requirement of the Public Bonding Law or the definition of the Public Bonding Law as to who is an accountable officer. Section 314 of the Public Bonding Law states that every officer, agent and employee of the Government of the Philippines, or of the companies or corporations, the majority of the stock of which is held by the national government shall, whenever the nature of the duties performed by such officer, agent, or employee, permits or requires the custody of funds or property for which is accountable, be deemed a bondable officer, and except as otherwise

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provided, every such person shall be bonded or bondable and his fidelity insured, in accordance with the Public Bonding Law.

REP. ACOP. With your definition, Attorney, iyon bang special disbursing officer ay isa sa mga accountable officers?

MR. CADORNA. As per my knowledge, Your Honor, in the operations of the Bureau of the Treasury, special disbursing officers are one of the officials who are considered bondable because of the fact that they are in custody or in possession of public funds or property. However, admittedly, Your Honor, in our...as far as the legal service of the Bureau of the Treasury is concerned, we often recommend different evaluation criteria, because special disbursing officers are generally only designated additional accountable functions on top of their core functions which ordinarily does not involve public funds or property, Your Honor.

REP. ACOP. I am sorry, Attorney, my question was very simple. Ang tanong ko lang po ay kung ang mga designated special disbursing officers are also accountable officers pursuant to the definition that you have cited to us? Yes or no lang naman po ang sagot.

MR. CADORNA. Yes, Your Honor, considering that if they are granted or designated additional functions as special disbursing officers, the nature of the duties then would require custody of funds or property, Your Honor.

REP. ACOP. And therefore, Mr. Edward Fajarda is an accountable officer pursuant to that definition?

MR. CADORNA. Yes, Your Honor.

REP. ACOP. Thank you. Mr. Chair, ayon sa ating joint circular, an accountable officer is an officer of the government whose duties permit or require the possession or custody of government funds and property and who shall be accountable therefor and for the safekeeping thereof in conformity with our laws and regulations.

As clearly established by the discussion earlier, Mr. Edward Fajarda is indeed an accountable officer, not only by the fact of his position as SDO, but also by the fact of the confirmation of receipt of confidential funds for DEPED respectively in 2022 and 2023.

Now, Attorney, you must be aware of Treasury Circular No. 1-2022 regarding Supplemental Guidelines on the Revised Omnibus Regulations Governing the Fidelity Bonding of Accountable Public Officers, being part of the Bureau of Treasury?

MR. CADORNA. Yes, Your Honor.

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REP. ACOP. Now, base po sa circular ng Treasury, ano po ang ibig sabihin ng bondable officer? Ito po ba ay nangangahulugan na may bond na ipino-post para sa kaniya?

MR. CADORNA. Yes, Your Honor.

REP. ACOP. And ano po iyong tawag po ninyo doon sa bond na binibigay ng bondable officer?

MR. CADORNA. It is referred to by the Bureau of the Treasury as the fidelity bond, Your Honor.

REP. ACOP. Okay. Thank you. Puwede po bang ipaliwanag ninyo po sa amin, sa lahat ng nandito, kung ano po ang ibig sabihin ng fidelity bond in layman's terms?

MR. CADORNA. Your Honor, a fidelity bond or the posting of the fidelity bond is an assurance or the commitment of an accountable public officer that he will faithfully discharge and lawfully discharge his duties, particularly his accountable public duties, considering that the accountable public officer is in possession of public funds or property. It is a commitment, Your Honor, that the accountable public official will faithfully and lawfully discharge his or her duties.

REP. ACOP. Ano po ang purpose? Is that the last statement...

(MS. NERIZZA G. ONA TOOK OVER)

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REP. ACOP. (Continuing)...the last statement that you made, iyan po ba ang purpose ng fidelity bond?

MR. CADORNA. Its purpose also, Your Honor, is for the accountable public official, for his fidelity to be covered, Your Honor. To be covered by the fidelity fund.

REP. ACOP. Marami pong salamat.

Now, bakit kailangang mag-post ng fidelity bond ang isang accountable officer katulad ni Mr. Fajarda?

MR. CADORNA. Your Honor, because... the reason being is that because the fidelity bond or a bondable officer, is cov... or a bonded officer, rather, is covered by the fidelity fund. The fidelity fund maintained in the Bureau of the Treasury shall be available for the purposes of replacing defalcations, shortages, and unrelieved losses in their account, Your Honor.

REP. ACOP. Thank you.

Ngayon, sa Bureau of Treasury, ano po ang ibig sabihin ng public funds?

MR. CADORNA. Allow me to just refer to the...

REP. ACOP. Please.

MR. CADORNA. ...circular, Your Honor.

REP. ACOP. Please, Attorney.

MR. CADORNA. Yes, Your Honor. I will quote item (q) of the Definition of Terms, under Treasury Circular 2-2019, as amended. "Public funds shall refer to funds or public monies under the possession, custody, or control of an accountable officer, by virtue of his or her official position or designation, which include public monies of every sort and other financial resources, such as cash, instruments representing or convertible to money, receivables and the like, pertaining to the Government Agency," Your Honor.

REP. ACOP. And pursuant to that definition that you have read, ang Confidential Funds ng DEPED ay kasama sa public funds under the possession, custody, or control of the Special Disbursing Officer—in this case, Mr. Edward Fajarda?

MR. CADORNA. Yes, Your Honor.

REP. ACOP. Thank you.

Ano po ang liability ng accountable officer, katulad ni Mr. Fajarda, sa... sa ganitong sitwasyon?

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MR. CADORNA. Liability, Your Honor, in... if I may...

REP. ACOP. Yeah. Are they accountable sa mga losses dahil sa unlawful deposit, unlawful use or application of public funds.... unlawful application of public funds, sila po ang accountable?

MR. CADORNA. Yes, Your Honor, if there is unlawful disbursement, considering that the Administrative Code of 1987 states that every accountable officer shall be personally liable for the funds or property in his or her possession, Your Honor.

REP. ACOP. Liable din sila kahit attributable ang loss sa kanilang negligence sa paghawak po ng mga ponding ito?

MR. CADORNA. Yes, Your Honor.

REP. ACOP. Yes, thank you.

Now, Mr. Fajarda, having listened to the explanation of the representative of the Bureau of Treasury, are you aware of the magnitude of your accountability as Special Disbursing Officer?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Thank you.

Let me confirm, Salary Grade 17 po kayo, tama po ba?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And correct po ba iyung aking record na ang inyong monthly salary ay around 35,000 to 40,000? Mali po ba iyon?

MR. FAJARDA. Your Honor, 41 thou... me... ganyan po malapit. Hindi ko lang po alam iyung exact figure.

REP. ACOP. So, malapit dito?

MR. FAJARDA. Opo.

REP. ACOP. Malapit dito sa numerong sinabi ko?

MR. FAJARDA. Mga 40 plus, 40 to 50.

REP. ACOP. Yeah.

Kanina, napag-usapan natin with the Bureau of Treasury ang fidelity bond at ang purpose nito. Naintindihan mo naman siguro iyung explanation ng representative ng Bureau of Treasury.

Noong kayo po ba, Mr. Fajarda, to minimize the probability of theft or crimes in relation to the Confidential Funds na inyo pong hawak, ano po iyung

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controls na inilagay po ninyo? Kayo po ba ay hiningian ng proof ng iyong income or properties?

MR. FAJARDA. Your Honor, ang tanong po ninyo po ba ay iyung as SDO? As an SDO?

REP. ACOP. Yeah. Bilang SDO at may hawak po noong Confidential Funds, may inilagay po ba kayong control sa paggamit po nito? Or, hiningian po ba kayo ng... o pinag-submit po ba kayo ng iyong income at saka list of properties?

MR. FAJARDA. Your Honor, nasa SALN po kasi iyan. Mayroon po iyang copy po sa DEPED. Noong nag-apply po ako, nanghingi po sila ng SALN.

REP. ACOP. Nag... Hiningi po sa iyo ito at nag-submit naman po kayo?

MR. FAJARDA. Opo. Noong nag-apply po ako sa DEPED.

REP. ACOP. Okay.

Now, to the Bureau of Treasury, iyung bond fidelity is required when you hold public funds, tama po?

MR. CADORNA. Yes, Your Honor.

REP. ACOP. At ang purpose ng fidelity bond ay is to ensure against losses, shortages, and defalcation by officers or employees accountable for public funds, tama rin po?

MR. CADORNA. Yes, Your Honor.

REP. ACOP. In other words, ito pong mga nakalagay dito ay to ensure na gagamitin po ng tama and for the specified purpose ang public funds, tama po ba? Dahil kung hindi po ginamit doon for what is intended for, you are violating the law. Would you agree?

MR. CADORNA. Yes, Your Honor.

REP. ACOP. Thank you.

Now, would you also agree with me that the fidelity bond should be equal to the amount of public funds that you would hold being a Special Disbursing Officer? Would that be correct?

MR. CADORNA. I... I do agree, Your Honor, but that is...

REP. ACOP. Hindi po...hindi ko po tinatanong kung nag-a-agree po kayo. Tama rin po ba, according to your rules?

MR. CADORNA. As for the Bureau of the Treasury's rules, Your Honor, admittedly, the coverage of the bond is not equal to the amount of the

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accountability disclosed. That is the present policy or the existing policy of the Bureau of the Treasury, Your Honor.

REP. ACOP. Now, may I know the reason why pumayag o nag-agree po kayo sa aking contention? Kasi importante po ito, eh, dahil puwedeng baguhin nating iyung naandoon sa Bureau of Treasury.

MR. CADORNA. Let me preface my answer, Your Honor, by saying that this is just my personal opinion, as part of the Legal Service, and this does not... ah... this does not preempt a forthcoming position of the Bureau, but I do agree with the sentiment, Your Honor, because it has the features of an insurance. So, therefore, in order for it to... to fully insure, you could say the fidelity, losses should be reimbursed by the... by said insurance. But then again, Your Honor, that is just my personal opinion, and this does not preempt any forthcoming official position of the Bureau because, really, the reason why there is a minimization or limit on the bond coverage is to reduce moral hazards, Your Honor, and the fact that there are fiscal implications if the... because presently the fidelity fund are with the Bureau of the Treasury. So, to reimburse it fully would have fiscal implications, Your Honor.

REP. ACOP. Kasi... Would you agree also na kung sobra naman ang liit noong bond, then, wala na pong incentive to use the entrusted public fund properly? Will you also agree with that, Attorney?

MR. CADORNA. I would agree with that, Your Honor.

REP. ACOP. Thank you.

Si Mr. Fajarda ay pinayagang maghawak ng up to 50 million, o ang kanyang approved amount of bond. Based on this data, the approved amount of bond is 4 million, while the bond premium is 60,000. Tama rin po ba iyon, sa inyong mga rules and regulations?

MR. CADORNA. While I do not have the records actually, Your Honor, because that belongs to the National Capital Region Regional Office, and the invitation was belatedly sent, but if we would refer to the schedule of premium rates, accountability, and bond coverage... if I may ask, again, Your Honor, the accountability is for how much, Your Honor?

REP. ACOP. Fifty million.

MR. CADORNA. Fifty million.

REP. ACOP. That is the approved amount of bond.

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MR. CADORNA. Fifty million, Your Honor, for the bond, Your Honor? Perhaps, accountability, Your Honor?

REP. ACOP. Yes. The accountability is 50 million, the approved amount of bond is 4 million.

MR. CADORNA. Yes, Your Honor. That would... That would be compliant...

(MS. THELMA M. RETUBA TOOK OVER)

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MR. CADORNA. (Continuing)...would be compliant with the schedule of premium rates under existing treasury circulars. For a minimum cash accountability ranging from 25 million and one peso to 75 million pesos, the amount of bond would be 4 million with a premium to be paid which is 60,000.

REP. ACOP. Sixty thousand.

MR. CADORNA. Yes, Your Honor.

REP. ACOP. Tama sa rules and regulations po ninyo.

MR. CADORNA. Yes, Your Honor.

REP. ACOP, Now, paki paliwanag po sa amin ano ang ibig sabihin ng "approved amount of bond"?

MR. CADORNA. That is, basically, Your Honor, the coverage of the fidelity fund if ever there are losses, shortages and defalcations, that is the maximum amount that can be paid by the Bureau of the Treasury. Whichever is less, Your Honor. It could be the amount of loss if it is lesser or it could be the amount of the bond if it is lesser, Your Honor.

REP. ACOP. Okay. Ano rin po ba ang bond premium?

MR. CADORNA. It is to be paid, Your Honor, by the agency in order for the bond to be confirmed or for the, basically, the contract to be binding, Your Honor, that the official is bonded.

REP. ACOP. Yes. Thank you.

In the case of Mr. Fajarda, hindi po ba maliwanag na ang layo ng approved amount of bond and the bond premium sa amount of accountability po niya? Will you agree with that?

MR. CADORNA. I would agree with that, Your Honor, because such is the present status of the policy, Your Honor.

REP. ACOP. Yes. Iyong sitwasyon ba na ito ay tama according to your rules?

MR. CADORNA. According to the rules, Your Honor, it would be correct because that is what is stated under the policy, Your Honor.

REP. ACOP. So, normal?

MR. CADORNA. Per the rules, Your Honor, that would be normal, Your Honor.

REP. ACOP. Would you agree also, if this is the situation, there is no incentive for Mr. Fajarda to properly use the 50 million? Will you agree with that?

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MR. CADORNA. As far as the fidelity bonding operation is concerned, Your Honor, considering that the bond coverage is admittedly very minimal, yes, Your Honor, just personal opinion looking at it with the features of an insurance contract, Your Honor.

REP. ACOP. And we have established a while ago that the salary grade of Mr. Edward Fajarda is only 17 and, thus, earns around, more or less, 40,000 a month. Further, he was not asked to show...or he was asked to show properties but was not...I think he also was asked to provide a financial capacity to cover the accountable amount of 50 million.

So, pinipilit ko pong intindihin, how could 4 million bond serve as protection for the 50 million public funds entrusted to a person sa inyong departamento? Hindi ninyo po ba napag-aralan ito? How would a, you know, 4 million bond serve as a protection for a 50 million public fund entrusted to an SDO?

MR. CADORNA. In that regard, Your Honor, as I was not part of the...I do not have the knowledge on the wisdom behind the matrix of schedule of premium rates because since time immemorial, admittedly, Your Honor, it has been this way. It was just added...or additional items were just added throughout the years. But I would refer it to our principals, Your Honor, if there is a need for the bureau's position regarding the matter.

REP. ACOP. Kaya nga. Kaya ko po itinatanong baka, I think, there is a need already to amend, hindi po ba, kasi iyong amount, eh, wala pa ngang 20 percent noong coverage. Would you agree with that?

MR. CADORNA. I would agree with that, Your Honor.

REP. ACOP. Thank you.

Now, COA, can you please walk us through the steps of obtaining confidential funds? Would it be correct that this begins with the disbursement voucher, Madam COA?

MS. CAMORA. Mr. Chair, may I ask...can the question be repeated?

REP. ACOP. Thank you.

Can you please walk us through the steps of obtaining a confidential... obtaining confidential funds? Would it be true that this begins with a disbursement voucher?

MS. CAMORA. Yes, Mr. Chair, from the cash advances...for the cash advance.

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REP. ACOP. Correct. Tama.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, ano po ang purpose ng isang disbursement voucher?

MS. CAMORA. It is to ano po...iyong parang mag-request noong cash advance, ng amount na gagamitin for the purpose in the DV po.

REP. ACOP. Okay.

Mr. Fajarda, sa nakaraang mga hearing naming, paulit-ulit pong nababanggit ang inyong pangalan. Sa katunayan, nabanggit din po ang pangalan ninyo ni Atty. Michael Poa, spokesperson dati ni Vice President Sara at dating Chief of Staff sa DEPED. Kilala ninyo po ba siya?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yeah. At noong nakaraang hearing, napag-usapan ang confidential funds ng DEPED pati ang mga YLS or Youth Leadership Summits, dahil hindi po kayo nagpakita noong nakaraang mga hearing, wala po kaming choice kung hindi magtanong sa mga resource persons na nandito noon, noong araw na iyon. Pero ayon kay Atty. Poa ikaw at si Vice President Sara lang ang may alam tungkol sa paggamit ng confidential funds. Do you confirm this o si Atty. Poa ang nagsisinungaling?

MR. FAJARDA. Your Honor, ang nag-uusap lang po tungkol po sa confidential fund po sa office ay ako at saka si VP Sara. Pero regarding po sa operations, may kausap pa po akong iba.

REP. ACOP. So, tama po iyong sinabi ko.

MR. FAJARDA. Tama po...

REP. ACOP. Tama po.

MR. FAJARDA. ...iyong kay Michael Poa....kay Usec. Poa.

REP. ACOP. Now, bago ako...

MR. FAJARDA. Pero I said... sorry, Your Honor. Sorry.

REP. ACOP. Sige. Sige.

MR. FAJARDA. May kausap pa po akong iba, iyong security officer po.

REP. ACOP. Ano po?

MR. FAJARDA. Iyon pong security officer.

REP. ACOP. Ang nakakaalam na isa?

MR. FAJARDA. Opo.

REP. ACOP. So, tatlo kayo?

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MR. FAJARDA. Ang kausap ko po si Ma'am Sara and then ako po sa security officer.

REP. ACOP. Security officer, ikaw at si Vice President, correct? Okay.

MR. FAJARDA. Your Honor, hindi po nag-uusap po si security officer at saka si Vice President Sara.

REP. ACOP. So, ikaw lang ang kausap ng security officer?

MR. FAJARDA. Opo.

REP. ACOP. Paki lapit lang ang mike, *Hijo*.

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Thank you.

Bago tayo pumunta sa mga pinaggamitan ng confidential funds, dito muna tayo sa paano ba ipo-process ang confidential funds, specifically, iyong confidential fund ng DEPED. Ang una pong step, Mr. Fajarda, ay iyong disbursement voucher. Would that be correct?

MR. FAJARDA. Your Honor, may isa pa pong ginagawa para po magawa po iyong disbursement voucher.

REP. ACOP. Ano po iyon?

MR. FAJARDA. Physical and financial plan po.

REP. ACOP. Yes. There must be a physical and financial plan.

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Thank you.

Iyon pong disbursement voucher para sa first quarter ng 2023 in the amount of 37.5 million, sa iyo po ba nakapangalan iyong disbursement voucher?

MR. FAJARDA. Your Honor, ang ipinapangalan po sa akin iyong tseke, iyon pong tseke.

REP. ACOP. Yeah, sa iyo po.

MR. FAJARDA. Iyong tseke po.

REP. ACOP. Iyong disbursement voucher, wala?

MR. FAJARDA. Ayan po ang disbursement voucher, so nakapirma lang po ako diyan pero...

REP. ACOP. Yeah. Nandiyan, nandiyan iyong pangalan po ninyo?

MR. FAJARDA. Opo. Nagsa-sign po ako, Your Honor.

REP. ACOP. Thank you.

Iyon din pong tseke, kagaya ng sabi...

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REP. ACOP. (Continuing)...kagaya ng sabi ninyo nakapangalan na rin po sa inyo?

MR. FAJARDA. Opo, Your Honor.

REP. ACOP. Okay. Pero matanong ko po, kayo po ba ang nag-prepare ng disbursement vouchers?

MR. FAJARDA. Your Honor, ang nagpe-prepare po niyan sa DEPED ay iyon pong Accounting.

REP. ACOP. So, ang nagpe-prepare ng mga disbursement vouchers ng confidential funds of DEPED ay iyong Accounting Division?

MR. FAJARDA. Iyong disbursement po, as to disbursement.

REP. ACOP. Iyong vouchers?

MR. FAJARDA. Opo.

REP. ACOP. Pero this whole process would be under your supervision?

MR. FAJARDA. Your Honor, alam ko lang po iyong mga signatory diyan pero ang mas knowledgeable po diyan ay iyong Accounting po.

REP. ACOP. Wala po bang nag-uutos sa iyo na i-prepare ang mga disbursement vouchers o ihanda ang mga ito para requirement po ng paggamit ng confidential funds?

MR. FAJARDA. Your Honor, 'pag mayroon na pong physical and financial plan, nag...minsan po pumupunta ako sa Accounting para mag-request na po na puwede na pong gawin iyong disbursement vouchers kasi...

REP. ACOP. And who gives you that order?

MR. FAJARDA. Your Honor, as SDO, 'pag mayroon na pong physical and financial plan, alam ko na po na kailangan na po kasunod pong gawin ang disbursement voucher.

REP. ACOP. Automatic na ginagawa po ninyo?

MR. FAJARDA. Kapag mayroon na pong physical and financial plan, automatic na po na hihingi...magpapagawa na po ako ng disbursement voucher.

REP. ACOP. Okay. Thank you. Kayo rin po ang payee?

MR. FAJARDA. Payee sa tseke po, ako po ang nakapangalan.

REP. ACOP. Oo, yeah.

MR. FAJARDA. Opo.

REP. ACOP. Dahil ikaw ang payee, may check na na-issue sa pangalan mo, as you have stated a while ago, sa halagang 37.5 million.

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MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Now, Mr. Fajarda, the name of Ms. Rhunna Catalan is on this disbursement voucher. Tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Totoo ba na this is what Madam Sunshine supposedly requested Ms. Catalan to sign?

MR. FAJARDA. Your Honor, as...ano po iyan, eh, kapagka po ang mga papers...si Miss Sunshine po ay nagpapirma na po iyan kay Ma'am Sara ng disbursement voucher, usually, trabaho po ni Miss Sunshine po iyong sa regarding sa mga papers. May trabaho din po siyang ganyan.

REP. ACOP. Tama po ba iyong aking statement?

MR. FAJARDA. Sorry, Your Honor, puwedeng paulit po iyong statement ninyo na iyan?

REP. ACOP. Hindi ba't tinanong ko kanina iyong pangalan po ni Ms. Rhunna Catalan is nakalagay din po sa disbursement voucher na nakalagay diyan kanina, nakita natin.

MR. FAJARDA. Opo. Opo, Your Honor

REP. ACOP. Tama. Ito ho ba iyong ni-request ni Madam Sunshine for Ms. Catalan to sign?

MR. FAJARDA. Hindi ko po alam kasi po iyon pong...separate po kasi kami ng trabaho, eh. Hindi ko po lang alam kung iyon po talaga iyong...

REP. ACOP. Iyong kuwan.

MR. FAJARDA. Opo, iyong part na po iyon.

REP. ACOP. Kasi si Madam Rhunna Catalan in the previous hearings claimed that Madam Sunshine requested her to sign the liquidation vouchers for the 102.5 million in DEPED confidential funds, which were reportedly withdrawn as cash advances by you, who served as the Special Disbursing Officer at DEPED. Iyon po iyong sinabi ni Madam Catalan kaya tinatanong ko po kayo.

MR. FAJARDA. Your Honor, ang ano po namin is ang...per quarter po, lagi pong 37.5 million.

REP. ACOP. Yeah.

MR. FAJARDA. Opo.

REP. ACOP. Tatlong beses.

MR. FAJARDA. Opo, tatlong beses po.

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REP. ACOP. Yes, oo. So, totoo iyong claim ni Madam Rhunna Catalan?

MR. FAJARDA. Siguro po kaya...Hindi ko po sure kaya hindi...wala po kasi ako doon.

REP. ACOP. Okay. Thank you. I'll take that for an answer.

Iyong pag-issue ng tseke sa iyo, iyong date ay same date ng disbursement voucher, would you remember that?

MR. FAJARDA. Pag-issue po ng tseke...

REP. ACOP. Ayan, nandiyan, o.

MR. FAJARDA. Your Honor, ano pong ibig sabihin po, issue po ng tseke?

REP. ACOP. Nagkasabay po noong disbursement voucher.

MR. FAJARDA. Ang sa pagkakaalam ko ginagawa po muna iyong disbursement voucher para po makagawa ng tseke.

REP. ACOP. Oo.

MR. FAJARDA. Opo.

REP. ACOP. Pero iyong pagkatapos ng disbursement voucher sumunod kaagad iyong pagkagawa ng tseke. Would you agree?

MR. FAJARDA. Hindi ko na po alam kasi Accounting po ang nagpa-process noon, eh.

REP. ACOP. Accounting?

MR. FAJARDA. Opo.

REP. ACOP. Kasi may pagkaalam po ako doon sa pag...comptrollership, *hijo*, eh, so I know, and nakikita ko na napakabilis noong pagkatapos ng disbursement voucher may tseke kaagad. Napakabilis po noong proseso.

MR. FAJARDA. Accounting po kasi ang nagpa-process, Your Honor.

REP. ACOP. 'Di ba? Yes. At ayon dito sa disbursement voucher, na-receive mo ang tseke for 37.5 million. Tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Thank you. I would just like to manifest, Mr. Chair, nakita natin sa screen ang kopya ng 37.5 million check na issued ni...na na-issue kay Mr. Fajarda, ang pag-advance ng 37.5 million na ito ay may approval ng Office of the Vice President. In fact, nakalagay nga sa disbursement voucher itong cash advance ay necessary, incurred lawfully, and under her direct supervision.

Mr. Fajarda, noong nakuha mo na iyong tseke, ano po ang ginawa ninyo po sa tseke?

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MR. FAJARDA. Your Honor, iyan po ay wiwidrohin *(withdraw)* ko pero sa pagkaka-alala ko po hindi po agad iyan nawi-withdraw, eh. Mag-ano po 'ata ng kinabukasan pa kasi sa pagkaalam ko po ang bangko wala pong ganyan 'atang...

REP. ACOP. Winidro (*Withdraw*) ninyo po ba ito one-time?

MR. FAJARDA. Yes, Your Honor, iyon pong 37.

REP. ACOP. Okay. Iyong pagka-withdraw ninyo noong pondo, saan ninyo po dinala?

MR. FAJARDA. Sa office po, Your Honor.

REP. ACOP. Sa office. So, mayroon po kayong vault doon that would be able to hold 37.5 million?

MR. FAJARDA. Mayroon po, Your Honor.

REP. ACOP. Mayroon, okay. Kapag mayroon na ngayong tao na...sa inyong mga...sa inyong opisina na nangangailangan o may gagamitin para...na confidential funds, mula sa iyo, inaalam mo ba kung saan gagamitin?

MR. FAJARDA. Your Honor, mayroon po akong process nang pagdi-disburse niyan, Your Honor.

REP. ACOP. Could you explain to us, ano'ng process ng pagdi-disburse mo?

MR. FAJARDA. Sa isang ano ko lang po iyan, sa security officer lang po ako nagdi-disburse niyan, wala na pong iba.

REP. ACOP. So, kung may nangangailangan ng confidential fund sa office ng DEPED, sa security officer lang mo ibinibigay?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And who might be that security officer who was...who disburses together with you iyong confidential funds ng DEPED?

MR. FAJARDA. Yes, Your Honor, mayroon po.

REP. ACOP. Sino po iyong security officer?

MR. FAJARDA. Si Colonel Dennis Nolasco po.

REP. ACOP. Colonel...sa kuwan po ito, sa DEPED?

MR. FAJARDA. Designated po siya as security officer sa DEPED.

REP. ACOP. Sa DEPED?

MR. FAJARDA. Opo.

REP. ACOP. Designated as security officer.

MR. FAJARDA. Yes, Your Honor.

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REP. ACOP. So, when designated, ang ibig sabihin po niyon mayroon silang appropriate legal orders.

MR. FAJARDA. You mean...dinesigneyt (*designate*) po siya.

REP. ACOP. Ano po?

MR. FAJARDA. Dinesigneyt (*Designate*) po siya.

REP. ACOP. Na-designate po siya.

MR. FAJARDA. Opo.

REP. ACOP. Sino po ang nag-designate sa kanya para maging security officer?...

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REP. ACOP. (Continuing)...maging security officer?

MR. FAJARDA. I was informed, VP Sara that si Dennis Nolasco po ay...I was informed na mayroon pong security officer na...for DEPED. So, sa pagkakaalam ko po, ang nag-assign po niyan ay si Colonel Lachica.

REP. ACOP. Oh. Okay.

Thank you.

Pag ibinigay mo sa security officer, ano po ang hinihingi mo sa kanya na proof para...saan gagamitin ito? Wala ka nang hinihingi?

MR. FAJARDA. Your Honor, may ipinapakita po siyang quarterly activity plan po niya.

REP. ACOP. And do you have a copy of all these quarterly activity plans in the utilization of 37.5 million?

MR. FAJARDA. Your Honor, confidential po iyan, so ibinabalik po sa kanya na...so...

REP. ACOP. Ano po?

MR. FAJARDA. Ibinabalik po sa kanya.

REP. ACOP. So, you do not have any copy of that.

MR. FAJARDA. Wala po, Your Honor.

REP. ACOP. It is only Colonel Dennis Nolasco who had...who would have copies of these?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Okay. Thank you.

Ngayon, matanong ko, sino-sino naman po ang humihingi na...sa iyo ng confidential funds?

MR. FAJARDA. Diyan lang po ako nagdi-disburse sa kanya, Your Honor.

REP. ACOP. Siya lang?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. So, wala kang kaalam-alam kung saan o kanino ibinibigay ni Colonel Nolasco iyong confidential funds.

MR. FAJARDA. Your Honor, si Colonel Nolasco po kasi ang expert sa confidential operation. So...

REP. ACOP. Hindi po ninyo sinasagot iyong aking katanungan. Ang katanungan ko po ay si Colonel Dennis Nolasco ang nakakaalam kung sino at saan ginagamit iyong confidential fund na ibinibigay mo sa kanya. Would that be correct?

MR. FAJARDA. Your Honor, based po doon sa quarterly activities na ibinibigay po niya...

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REP. ACOP. Yes.

MR. FAJARDA. ...doon din malalaman.

REP. ACOP. Ang sinasabi po ninyo sa amin is, nagsa-submit sa iyo si Colonel Dennis Nolasco ng quarterly activity plan.

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And then, based on that, doon sa quarterly activity plan, nagbibigay po kayo ng CF. Ganoon po ba?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. So, nandoon din siguro sa quarterly activity plan iyong buong amount.

MR. FAJARDA. Your Honor, hindi po kasi buong amount po siya, eh. May...mayroon po siyang certain amount na hindi po...

REP. ACOP. Na nakalagay doon sa quarterly activity plan.

MR. FAJARDA. Opo.

REP. ACOP. Okay. Thank you.

Pag ibinibigay mo iyong pondo, is it in cash?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Kasi ganito ang aking pagtatanong, Mr. Edward Fajarda, kasi gusto kong malaman o maintindihan saan po napupunta at paano ginagamit iyong confidential funds pag nakuha mo na ito, kasi sa iyo nakapangalan iyon, eh, 'di po ba?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Thank you.

Sa second and third quarter, Mr. Fajarda, mayroon ding mga disbursement vouchers at checks. Tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes.

Ngayon, isa-isahin natin bago tayo pumunta doon sa susunod na proseso ng confidential funds.

ComSec, please show iyong disbursement voucher for the second quarter.

REP. SUAREZ. Colonel Acop...Ah, General Acop, can I just ask one question?

THE CHAIRPERSON. With the indulgence of Congressman Acop...

REP. ACOP. Yes.

THE CHAIRPERSON. ...the Chair would like to recognize...

REP. ACOP. Yes, Mr. Chair.

THE CHAIRPERSON. ...Deputy Speaker Jay-Jay Suarez.

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REP. SUAREZ. So, Edward…Mr. Fajarda, kayo po iyong nagwi-withdraw noong pera sa Land Bank. Tama po?

MR. FAJARDA. Yes, Your Honor.

REP. SUAREZ. Paano ninyo po wini-withdraw iyong pera mula sa bangko?

MR. FAJARDA. You mean…Normal process po ng pagwi-withdraw, Your Honor.

REP. SUAREZ. So, tseke ang ibinibigay ninyo tapos ini-encash ninyo po ito?

MR. FAJARDA. Yes, Your Honor.

REP. SUAREZ. So, 37 million, medyo malaking halaga po iyon. Saang Land Bank ninyo po wini-with…kinukuha iyong cash?

MR. FAJARDA. Doon lang po sa Land Bank-DEPED. Within the premises naman po iyon ng DEPED.

REP. SUAREZ. Ah, within the DEPED premises.

MR. FAJARDA. Opo.

REP. SUAREZ. So, doon sa 37 million na wini-withdraw ninyo, saan ninyo po inilalagay ito?

MR. FAJARDA. Sa…Sa bag po, backpack tsaka dalawang duffle bag, dalawa po.

REP. SUAREZ. I can't imagine kasi itong 37 million, eh. Mayroon po kasi last hearing na pinakitang duffle bag. Ganito po kaya iyong hitsura niya, Mr. Fajarda?

MR. FAJARDA. More or less, the same pero may malaki pa po akong bag…backpack.

REP. SUAREZ. Ah, so, may…So, ikaw lang mag-isa.

MR. FAJARDA. Opo. Your Honor, tatlo po iyong bag, dalawang…

REP. SUAREZ. So, ikaw lang mag-isa ang nagbubuhat ng 37 million.

MR. FAJARDA. Yes, Your Honor. Kayang-kaya ko naman po.

REP. SUAREZ. Kaso lang wala kang ibang kasama. Wala kang security personnel habang dala-dala ninyo po iyong pera.

MR. FAJARDA. Mayroon pong isa. Mayroon pa hong security.

REP. SUAREZ. Ah, puwede ninyo po kayang maibigay iyong pangalan noong security na iyon?

MR. FAJARDA. Tanungin ko lang po siya, Your Honor, ha, kung ibigay ko. Kasi ganito po kasi ang nangyayari—kapag wi-withdraw na po ako ng check, tatawagan ko po si…si security officer ko doon sa pagdi-disburse ko. Magbibigay po siya sa akin ng security, tapos sasabihin niya…Doon po sa VPSPG sa baba, sa mga sundalo sa baba, may lalapit sa iyo pagbaba mo diyan, may sasabihin sa iyo, "Ako

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ang…Ako ang magbabantay sa iyo." Lalakadin lang namin po. Doon lang naman sa…within the DEPED.

REP. SUAREZ. So, ang sinasabi ninyo po, doon sa…ilang beses po kayong nakapag-withdraw ng 37 million?

MR. FAJARDA. Tatlo, Your Honor.

REP. SUAREZ. Tatlong beses. So, tatlong beses, iba't ibang tao po iyong nakasama ninyo.

MR. FAJARDA. Siya lang po, Your Honor.

REP. SUAREZ. Ah. So, puwede ninyo pong maibigay ang pangalan since iisa lang pala?

MR. FAJARDA. Sir Allan lang po ang tawag ko sa kanya, eh.

REP. SUAREZ. But kilala ninyo po itong Sir Allan na ito?

MR. FAJARDA. Sa mukha po, Your Honor, kasi VPSPG po siya, eh. Kasama na po lagi siya sa mga VPSPG. Nandoon lang po lagi siya sa…sa VPSPG pag bumababa po ako.

REP. SUAREZ. Bahagi po siya ng Vice President Security Group.

MR. FAJARDA. Siguro po kasi iyon po ang mga kasama niya, eh, pag bumababa po ako. I think sundalo din po siya.

REP. SUAREZ. Oo. Hindi…Hindi po kayo nababahala na hindi ninyo po masyadong kilala iyong tao kaso lang malaking halaga ang dala-dala po ninyo?

MR. FAJARDA. Your Honor, si security officer po ang nagbigay sa akin so…

REP. SUAREZ. Security officer pertaining to whom?

MR. FAJARDA. To confidential fund po.

REP. SUAREZ. Hindi. Sino iyong security officer na nagbigay sa inyo doon… dito sa Allan na binabanggit ninyo?

MR. FAJARDA. Si Colonel Nolasco po.

REP. SUAREZ. Colonel Nolasco.

MR. FAJARDA. Opo.

REP. SUAREZ. So, itong security officer na ito na si Allan, siya po iyong kasa-kasama ninyo pumunta sa Land…kung pupunta sa Land Bank, mag-e-encash ng tseke at dala-dala rin ninyo po iyong mga bag na punong-puno ng pera?

MR. FAJARDA. Yes, Your Honor.

REP. SUAREZ. At dinadala ninyo po ito sa vault. Nabanggit ninyo po iyong vault.

MR. FAJARDA. Opo. Yes…yes…yes, Your Honor.

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REP. SUAREZ. Puwede ninyo po kayang mailarawan sa amin kung gaano kalaki iyong vault na pinaglalagyan po ng pera? Ito po ba'y kasinglaki ninyo?

MR. FAJARDA. Mas mata…Mas mataas po ako nang kaunti, almost singlaki ko po.

REP. SUAREZ. At kayo lang po ang may access sa vault na ito.

MR. FAJARDA. Yes, Your Honor.

REP. SUAREZ. Okay.

I just wanted to clarify that, Chairman.

Thank you very much, Congressman Acop, for that interjection.

REP. A. D. GONZALES. Mr. Chairman, can I…

THE CHAIRPERSON. Yes, Congressman…Yes, Senior Deputy Speaker Dong Gonzales. You are recognized.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

Mr. Edward Fajarda, iyon pong bahay ninyo doon lang sa tabi ng Land Bank and DEPED?

MR. FAJARDA. Your…Your Honor, malapit po doon pero hindi po sa tabi. Medyo malapit po doon.

REP. A. D. GONZALES. Nag…Gumagamit po kayo ng sasakyan pag umuuwi po kayo ng, halimbawa, galing kayo sa Land Bank, DEPED, punta kayo sa bahay ninyo, kinakarga ninyo lang po iyong pera, hindi kayo gumagamit ng sasakyan?

MR. FAJARDA. You mean, pertaining po pag nag-withdraw po ako, Your Honor?

REP. A. D. GONZALES. Opo.

MR. FAJARDA. Your Honor, lakad ko lang po kasi within the premises lang po siya ng ano, ng DEPED, iyong Land Bank.

REP. A. D. GONZALES. Tapos dadalhin ninyo po sa bahay ninyo?

MR. FAJARDA. Ah, hindi po. Sa office po.

REP. A. D. GONZALES. Okay. Salamat po, Mr. Chairman.

THE CHAIRPERSON. Thank you.

Congressman Acop, you may proceed.

REP. ACOP. Thank you, Mr. Chair.

For 2023, Mr. Edward Fajarda, you prepared three disbursement vouchers, three 37.5 million. Tama, tatlong 37.5 million?

MR. FAJARDA. Yes, Your Honor. Tama po.

REP. ACOP. Iyon bang nangyari doon sa unang 37.5 million…

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REP. ACOP. (Continuing)...unang 37.5 million, iyong... iyong second quarter disbursement voucher at saka iyong third quarter disbursement voucher, parehas po ang nangyari iyong ginawa po ninyo?

MR. FAJARDA. You mean, parehas, Your Honor...

REP. ACOP. Iyong in-encash niyo iyong tseke,...

MR. FAJARDA. Ah, opo. Yes, Your Honor. Opo.

REP. ACOP. ...winidro *(withdraw)* ninyo, tapos ibinigay niyo kay Colonel Dennis Nolasco?

MR. FAJARDA. Yes, Your Honor, pero hindi po buo lahat iyon, Your Honor, po.

REP. ACOP. Kaya nga, iyon nga. Ibig kong sabihin, mayroon pa bang ibang tao maliban kay Colonel Dennis Nolasco na kumuha sa inyo ng Confidential Fund?

MR. FAJARDA. Wala na po, Your Honor. Sa kaniya...

REP. ACOP. So, nag-iisa lang siya talaga...

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. ...for the three checks...

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. ...worth 37.5 million each, tama?

MR. FAJARDA. Tatlo po. Opo. Tama po.

REP. ACOP. Okay. Doon po tayo nagkakaintidihan. Now, Mr. Fajarda, tuwing tatanggap ka ng tseke noong first, second and third quarter, sabi mo kanina wini-withdraw mo sa bangko, dinadala sa inyong opisina, inilalagay sa vault. Sabi mo kanina, mayroon po kayong vault sa inyong mga... sa opisina, tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Hindi mo dinideposito sa bangko, nandoon lang sa vault.

MR. FAJARDA. Nasa vault lang po, Your Honor.

REP. ACOP. Okay. And inaantay po ninyo na mag... mag-provide sa inyo si Colonel Nolasco ng quarterly activity re... activity report or plan?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Thank you.

May I manifest, Mr. Chair, na nag-umpisa iyong pagkuha ng Confidential Funds after gumawa po ng disbursement voucher on the same day, Mr. Fajarda,

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na naisyuhan *(issue)* ng 37.5 million check or a total of 112.5 million, tama, Fajarda? Kasi tatlong beses, eh.

MR. FAJARDA. Tatlong beses po. Per quarter po, Your Honor.

REP. ACOP. Yes. Three times 37.5 would equal 112.5.

MR. FAJARDA. Tama po.

REP. ACOP. To emphasize, itong napakalaking halaga ng cash advance ayon sa vouchers ay necessary, lawful and incurred in the Office of the Vice President ayon sa certification ng ating Pangalawang Pangulo sa mga disbursement vouchers.

Mr. Fajarda, noong nakaraang hearing, ayon kay Attorney Camora—Kilala niyo po siya, taga-COA, hindi?

MR. FAJARDA. Hindi po, Your Honor.

REP. ACOP. Attorney Camora just accepted your accomplishment reports as correct despite the blatant red flags. On 20 February 2023, you encashed 37.5 million check and made…Tama po ba iyong sinabi ko, 20 February 2023, in-encash mo iyong 37.5 million check, iyong first quarter?

MR. FAJARDA. I'm not sure lang po doon sa exact date kung mga 20, 21.

REP. ACOP. Okay. Pero…

MR. FAJARDA. Something… Oo, mga ganiyan, 20, 21. Oo, mga ganiyan po.

REP. ACOP. 2023 kasi ang first quarter January, February, March, tama?

MR. FAJARDA. Oo, February po siya.

REP. ACOP. Oo, February. Thank you. But in the report, you made seven disbursements in seven different locations, would that be true?

MR. FAJARDA. Your Honor, ang nag… ang gumagawa po sa confidential operation ay si Security Officer po.

REP. ACOP. I beg your pardon?

MR. FAJARDA. Sa security… Iyon pong nagdi-disburse po ng…

REP. ACOP. Si Colonel Nolasco rin ang gumagawa nitong…

MR. FAJARDA. Iyang… Siya po ang nag-aano niyan.

REP. ACOP. Sa…

MR. FAJARDA. Kaniya pong expertise po iyan, iyan pong seven…

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REP. ACOP. So, ibig mong sabihin, iyong first quarter na 37.5 million check, ang gumawa ng seven dis... seven disbursements in seven different locations ay si Colonel Dennis Nolasco, hindi po kayo?

MR. FAJARDA. Hindi po ako, si SO po.

REP. ACOP. Iyon pong total amount of 37.5?

MR. FAJARDA. Yes. Yes, Your Honor.

REP. ACOP. So, for the first quarter, kinuha lahat ni Colonel Nolasco at dinisbers *(disburse)* niya in seven different locations.

MR. FAJARDA. Your Honor, may... hindi po iyan buong 37 na ibibigay... na ibinigay sa kaniya. Mostly weekly po iyan eh, weekly, mostly weekly.

REP. ACOP. And what would be the average amount na naibibigay mo per week?

MR. FAJARDA. Your Honor, kailangan po bang mag-details ng... puwede ko bang hindi i-details iyong amount or...

REP. ACOP. Ano po?

MR. FAJARDA. Puwede ko po bang hindi i-details iyong amount?

REP. ACOP. Hindi mo sabihin?

MR. FAJARDA. Kung pupuwede lang po?

REP. ACOP. Ay, bakit... bakit hindi mo po...

MR. FAJARDA. Hindi po ba masyadong confidential na?

REP. ACOP. *(Shaking his head).*

MR. FAJARDA. Ah, sige po. Your Honor, nagre-range po siya sa 4, 5, 6—4 to 6 million po.

REP. ACOP. Okay. Now, kasi doon sa... sa pag-liquidate po ninyo, for example iyong first quarter, iyong seven disbursement were made noong... iyong February sa Malolos; Davao; San Francisco, Agusan del Sur; Makati City; Negros Oriental; Negros Occidental; and Davao City. May I ask, posible po ba ito?

MR. FAJARDA. Your Honor, hindi po kasi ako ang expert diyan, si Colonel Nolasco po. Siya po kasi ang gumawa niyan.

REP. ACOP. Okay. Thank you.

In... In.... Last 15 March 2023, the report says that 26 disbursements were made. Are you aware of this?

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MR. FAJARDA. Your Honor, kay... trabaho po iyan ni Security Officer, so siya po.

REP. ACOP. Okay. Kasi kung... Mr. Fajarda, titingnan ko po iyong mga lugar kung saan po nag-disburse, ang lalayo po, eh. Kaya ang tanong ko kaya... posible ba ito sa paningin po ninyo?

MR. FAJARDA. Your Honor, hindi ko po kasi masagot kasi siya po ang nagtrabaho niyan, so hindi po ako expert diyan

REP. ACOP. So, parang ang sinasabi mo, siya dapat ang sumagot sa katanungan ko? *(Laughs)*

MR. FAJARDA. Diyan po sa question na po iyan, yes, Your Honor.

REP. ACOP. Yes. Thank you.

Now, COA, sa inyong mga rules and regulations at saka protocol, required ang liquidation at saka accomplishment reports, tama?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. Now, please explain to us, ano po ang purpose ng liquidation at saka accomplishment reports?

MS. CAMORA. Iyong accomplishment report po ay part ng liquidation. Iyong liquidation po kasi is parang explanation kung paano na-disburse po iyong Confidential Funds na kinash *(cash)* advance ni SDO.

REP. ACOP. Okay. Now, would a broad enumeration of the expenses be sufficient or in compliance with liquidation and accomplishment reports?

MS. CAMORA. As long as andoon po siya sa mga expenses na allowed sa Joint Circular.

REP. ACOP. Now, in your protocols, how are we certain that the funds were properly spent? Could you please explain to us?

MS. CAMORA. Based po doon sa requirements ng joint circular, they are required to submit these documents na to support iyong liquidation po nila.

REP. ACOP. Now, let's go to doon sa payment of reward. 'Di po ba mayroon iyan, 'di po ba, at isa iyan sa puwedeng paggastusan ng Confidential Fund, correct?

MS. CAMORA. Yes, Mr. Chair.

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REP. ACOP. Hindi po ba ang requirement diyan, if I remember it right, kailangang mayroong report on success bago ibibigay iyong reward, would that be correct?

MS. CAMORA. Mr. Chair, documents evidencing the success of the information gathering po.

REP. ACOP. Tama iyong sinabi ko?

MS. CAMORA. Yes po.

REP. ACOP. Now, nandito rin naman po kayo noong mga nakaraang hearing...

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REP. ACOP. (Continuing)...mga nakaraang hearing at sinabi noong mga representatives ng Philippine Army, nandito po kayo noon, eh.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. 'Di ba?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. And according to their answers to the questions of the Members of this Committee, they denied na nakatanggap po sila ng pera mula sa DEPED para sa YLS, tama?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. Pero ito, sinabi nila, nagagamit ito sa pag-liquidate ng confidential funds ng DEPED.

MS. CAMORA. Parang ang explanation po dati is iyon na po iyong proof na naging successful po iyong operations.

REP. ACOP. Yeah.

Mr. Fajarda, would it be correct na bilang ikaw ay SDO, ikaw rin ang in charge sa paggawa ng liquidation and accomplishment reports? Would that be correct?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. At iyong tatlong 37.5 million na iyong natanggap ay ginawan mo ng mga ganito, iyong liquidation and accomplishment reports?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Dito muna tayo sa first quarter.

ComSec, paki-flash iyong liquidation report for the first quarter of 2023.

Naalaala mo pa ba ito?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And you are aware of this?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Now, ayon dito sa liquidation report na ito, you certified na iyong cash advance na 37.5 million ay ginamit para sa payment for operation, MOOE expenses ng DEPED, tama? Iyon po ang nakalagay.

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. O, payment for operational and MOOE expenses ng DEPED. Ang nakalagay nga, eh, it says, "Operational/MOOE expenses of the Vice President/Secretary of the Department of Education," tama?

MR. FAJARDA. Pero, Your Honor, nagbe-base po iyan kasi doon sa dapat pagkakagastusan po ng confidential fund, iyong rental.

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REP. ACOP. Pero iyon po ang nandoon sa kuwan, na sinabmit *(submit)* po ninyo sa COA?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Oo. Sa linya po ng amount to be refunded, blangko po ang box, tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Ang ibig sabihin niyan, wala po kayong isinuli sa ahensiya na naiwan sa 37.5 million? Would that be correct also?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. At si Vice President mismo ang nag-certify na nagamit at naubos ang buong cash advance na 37.5 million for the purposes it was meant to be used? Tama rin po?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Para ma-certify po ninyo na tama ang data na nakalagay po sa liquidation report, ibig sabihin ito ay alam mo kung saan ginamit iyong cash advance? Would that also be correct?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Okay. Ibig sabihin, alam mo kung saan at kanino napunta ang pera? Tama rin po ba?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Now, since we have the liquidation report diyan, gusto ko pong tanungin sa inyo, ano ang payment of operational/MOOE expense of the Office of the Vice President/Secretary of the Department? Ano po iyon? Ano ang ibig sabihin? Ano ang included sa payment of operational/MOOE expenses of the Office of the Vice President/Secretary of the Department? Sigurado ako alam mo dapat ito, eh, dahil sinabi mo rin dito kanina sa aking pagtatanong, tama po iyong mga nakalagay doon sa liquidation report. Tama?

MR. FAJARDA. Your Honor, ito pong "to liquidate the cash advance granted for payment operational/MOOE expense of the Vice President/Secretary covered by check," ito po kasi iyong nakalagay din doon sa disbursement voucher.

REP. ACOP. Yeah. Pero ang ibig sabihin noon po doon sa liquidation report na iyan, eh, alam po ninyo, Mr. Fajarda, being the special disbursement officer, na alam po ninyo what are included doon sa payment of operational/MOOE expenses of the Office of the Vice President/Secretary of the Department kasi iyon po ang nilagay ninyo po doon sa liquidation report, eh?

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MR. FAJARDA. Actually, Your Honor, ito po lang iyong nakalagay doon sa disbursement voucher, pero as to sina-submit po doon sa COA, nagbe-base po ako doon sa documentary evidence of payment. Iyon po talaga ang pinagkagastusan noong pera.

REP. ACOP. If that is the case, Mr. Fajarda, hindi po tama iyong pag-certify ninyo na...when you certify to the correctness of the data? Do you agree with that?

MR. FAJARDA. Your Honor...

REP. ACOP. Dahil ikaw na mismo ang nagsasabi na hindi mo alam, eh.

MR. FAJARDA. Your Honor, ito po kasi iyong nakalagay sa disbursement voucher. Ang ibig sabihin po kasi doon sa...nito pong liquidation na ito, ili-liquidate ko po itong 37.5.

REP. ACOP. So, sinunod mo lang kung alin ang nakalagay doon sa DV o disbursement voucher?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Okay. Ngayon, paano mo malalaman o masasabi na tama ang data na nandoon po sa disbursement voucher?

MR. FAJARDA. Your Honor, nakalagay naman po doon sa ano, iyong 37.5. Then sa tseke rin, so tally po sila, eh.

REP. ACOP. Now, may I know if alam po ninyo kung ano ang ibig sabihin ng operational at saka MOOE expenses, Mr. Fajarda? Would you know?

MR. FAJARDA. Your Honor, iyon po kasing operational diyan...

REP. ACOP. Hindi. Alam ninyo po ba ang ibig sabihin ng operational at saka MOOE? Yes, or no?

MR. FAJARDA. Iyon pong sa MOOE, Your Honor, allotted po iyong 37.5. Iyon po ang inilagay po diyan, MOOE po sa...

REP. ACOP. Hindi. Pero ang tinatanong ko po, kung alam ninyo po ang ibig sabihin ng operational at saka MOOE? These...these two are expenses and would you know...dapat alam po ninyo na ano ang operational at saka MOOE expenses.

MR. FAJARDA. Your Honor, iyon pong payment for operational, ang ibig kong sabihin diyan is kung...iyong paggastos po ng confidential funds sa confidential operation.

REP. ACOP. Kasi, Mister...Naiisip ninyo ba iyong sagot po ninyo sa akin na nagagamit sa operational/MOOE expenses iyong confidential funds, Mr. Fajarda? May implication po iyon, eh. When you say, inaamin mo na iyong confidential funds were used for operational and MOOE expenses, which were in your liquidation reports, the

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confidential funds of the DEPED were not evidently used for confidential expenses kung iyon po ang nakalagay? That is the implication of your answer, Mr. Fajarda.

MR. FAJARDA. Your Honor, hindi ko lang po siguro nalagyan ng operational...confidential operations. Doon po kasi ginagastos.

REP. ACOP. So, hindi mo nalagyan ng adjective na confidential operations?

MR. FAJARDA. Opo. Yes, Your Honor.

REP. ACOP. And the document states or shows that you and the Vice President certified to the correctness of the liquidation report? Kayong dalawa ang pumipirma, eh, 'di po ba?

MR. FAJARDA. Nagpirma po kami. Yes, Your Honor.

REP. ACOP. Eh, dapat alam mo ito. Kasi 'pag ganito ang sinasagot po ninyo, eh, baka malubog po kayo. Naiisip mo ba iyon, Mr. Fajarda? Ha?

Thank you...

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REP. ACOP. (Continuing)...Thank you.

Now, ito namang certification ng 31 March 2023, ikaw rin ba ang nag-prepare nito?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes, ikaw ang nag-prepare. And what you prepared was attested by the Vice President, would that also...would that be correct also?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And would you agree that the attestation was made under oath pursuant to the document?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Alam ninyo rin po ba ang implication nito, Mr. Fajarda?

MR. FAJARDA. Yes, Your Honor, under oath po ako.

REP. ACOP. Ha?

MR. FAJARDA. Under oath po ako.

REP. ACOP. Yes, alam mo na ito ay pinanumpaan mo...

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. ...and si Atty. Rhoscel Abella was the commission notary public for the City of Manila, tama? Siya ang...

MR. FAJARDA. Siya po ang nag-notarize.

REP. ACOP. ...nag-notarize. Ah, okay.

Normal ba na si...sa tatlong...sa mga certification na ginagawa...ginagawa mo for the confidential funds si Atty. Abella ang nag-kuwan...ang notary public?

MR. FAJARDA. Sa kanya po ako nagpapa-notarize.

REP. ACOP. Okay. thank you.

Ano po iyong implication ng certification na ito, Mr. Fajarda? What do you...what are you trying to certify? Puwede ko po bang malaman para malaman ko kung alam po ninyo iyong pinipirmahan po ninyo?

MR. FAJARDA. Your Honor, puwede po ba akong makakuha ng copy kasi wala lang po akong copy niyan?

REP. ACOP. ComSec, kindly provide Mr. Fajarda iyong certification na naka-flash sa screen.

MR. FAJARDA. Yes, Your Honor. Yes, Your Honor.

REP. ACOP. So, alam mo na kung bakit ano ang nilalaman ng certification, nabasa mo na?

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MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Na basically, Mr. Fajarda, you are certifying na iyong 37.5 million confidential fund ay ginamit sa tamang confidential operations na activities ng DEPED at ang mga pinagkakagastusan noong amount na iyon ay necessary at ginamit for legal purposes. Iyon po ang laman ng certification, tama po?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Now, may I present iyong accomplishment report for the first quarter corresponding to the 37.5 million, ito ay kasama po sa liquidation report na sinabmit *(submit)* po ninyo. Tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Iyong accomplishment report?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Magkaakibat iyon, eh.

MR. FAJARDA. Opo.

REP. ACOP. Tama? Ikaw rin ba ang nag-prepare nito?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Ibig sabihin, if we look at it, may mga breakdown. Ikaw rin ang gumawa ng mga breakdown?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Kung titingnan mo may mga breakdown, hindi po ba?

MR. FAJARDA. With the help din po ito ng Security Officer.

REP. ACOP. Yes. At alam mo dahil dito alam mo kung saan ginamit iyong pondo?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Okay. Iyon bang mga specific transactions alam mo rin lahat iyon?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Kasi totoo naman hindi ka makakagawa ng report na ganito kadetalye kung hindi mo alam lahat ng mga detalye ng transactions?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Tama. At para...ginawa mo rin ito para malaman mo kung saan napunta ang pera?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Maliban lang kung gagawa-gawa lang ito, Mr. Fajarda?

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MR. FAJARDA. Ako po ang naggawa nito. Yes, Your Honor.

REP. ACOP. Yes, thank you. Ito...itong accomplishment report in-approve din ni Madam Vice President?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Thank you. For the second and third quarter ganito rin po ba ang nangyari?

MR. FAJARDA. Medyo the same po iyan, Your Honor.

REP. ACOP. The same iyong for 37.5 for the second quarter, hindi po ba?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And for the third quarter 37.5. Ah, kung titingnan po natin iyong tatlong quarters na iyon sa iyong liquidation report, wala pong sinauli na pera?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. And sinabi mo rin uli sa iyong mga...sa liquidation report mo na iyong second quarter na 37.5 at saka third quarter na 37.5 sinertipay *(certify)* mo uli na ito ay ginamit sa operational/MOOE expenses of the Vice President, Secretary of Education, tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. And a while ago you corrected yourself...

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. ...sa lahat ng dokumentong ito hindi po naka-indicate na confidential funds?

MR. FAJARDA. Hindi ko po nalagay iyong confidential, Your Honor.

REP. ACOP. Iyon iyong sinabi mo na mali mo kanina?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. In the documents wala pong mention ng confidential funds...

MR. FAJARDA. Yes.

REP. ACOP. ...you agreed with me?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Yes. Lahat din ng liquidation report at saka certification na-certify po ni Vice President Sara, would that also be correct?

MR. FAJARDA. Na-certify po, Your Honor.

REP. ACOP. Yes. Na iyong certification Ninyo, iyong amount na confidential fund ay ginamit para sa confidential operations and activities of the DEPED?

MR. FAJARDA. Yes, Your Honor.

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REP. ACOP. Okay. And the two documents…iyong certification na iyon for the second and third quarter ng confidential fund ang nag-notaryo ay si Atty. Rhoscel N. Abella?

MR. FAJARDA. Tama po, Your Honor.

REP. ACOP. *Suki mo yata siguro ito, ano, Edward?*

MR. FAJARDA. Siya po ang nagno-notarize, Your Honor.

REP. ACOP. And lahat po ng certification pina-attest mo kay Vice President, tama?

MR. FAJARDA. Yes, Your Honor.

REP. ACOP. Okay. So, Mr. Chair, ang makakasagot po ng detalye nang paggamit po noong tatlong 37.5 pursuant to the testimony of Mr. Edward Fajarda ay si Colonel Dennis Nolasco kasi, according to our witness, Mr. Edward Fajarda, iyong confidential funds, the moment na nagsa-submit si Colonel Dennis Nolasco ng quarterly accomplishment report, doon nag-i-issue si…si Mr. Edward Fajarda ng amount of confidential funds which is nandoon doon sa report na isina-submit.

So, Mr. Chair, may I respectfully move that in the next hearing we invite the Security Officer Colonel Dennis Nolasco. So moved, Mr. Chair.

REP. KHONGHUN. There is a motion, duly seconded. Kindly…ComSec, kindly take note.

THE ACTING COMMITTEE SECRETARY. Yes, Mr. Chair.

REP. KHONGHUN. Thank you. Go ahead, Congressman Acop.

REP. ACOP. That would be all for the meantime to give my respite to Mr. Edward Fajarda. Marami pong salamat, Mr. Chair.

REP. RAMON RODRIGO L. GUTIERREZ. Mr. Chair.

REP. KHONGHUN. Go ahead, Honorable Gutierrez.

REP. GUTIERREZ. Quick interjection, Mr. Chair.

The question is germane to the questions of Congressman Acop to Mr. Edward Fajarda.

REP. KHONGHUN. Go ahead.

REP. GUTIERREZ. Okay. Thank you, Mr. Chair.

Mr. Fajarda, good afternoon po. Just a few questions lang po, ano, in relation to mga itinanong na po ni Congressman Acop. Startling revelation…

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REP. GUTIERREZ. (Continuing)...Startling revelation po sa amin po siguro na sinasabi niyo po ngayon na hindi po kayo personally nag-disburse ng CF, kundi si Colonel Dennis Nolasco. Kasi po sa pagkakaintindi po namin, based on the hearings, unfortunately, you were not around since the first six hearings, and it has always been made to appear po na kayo po iyong may pinaka...kayo po iyong may, kumbaga, you would have the most knowledge as the Special Disbursing Officer over iyong confidential funds. And it's...we were always been made to believe that it would be you who would be able to determine on the pinpoint kung ano po iyong mga mistakes that were pointed out by COA, and the other erroneous and false matters po na nakikita po namin.

REP. KHONGHUN. Go ahead, Mr. Fajarda.

REP. GUTIERREZ. But right now, you are telling us po na lahat po ito idinaan kay Colonel Dennis Nolasco. Is that a fair statement po?

MR. FAJARDA. Your Honor, tama po.

REP. GUTIERREZ. So, iyong situation po na kapag kayo ay nakakapagtanggap ng tseke, once cleared, ini-encash po ninyo, diretso inilalagay niyo sa vault, pero your only interaction with it is iyong pag-disburse nito kay Colonel Nolasco. And this will occur in your office po ba, Mr. Fajarda, Mr. Chair?

MR. FAJARDA. Sa DEPED po, Your Honor.

REP. GUTIERREZ. Sa DEPED. Now, Mr. Fajarda, you've seen na po, 'no, iyong certification na binabanggit ni Congressman Acop. You've seen it for yourself, and this is the same certification that you signed that you attached the liquidation report, tama po ba?

MR. FAJARDA. Tama po, Your Honor.

REP. GUTIERREZ. May I ask po, Mr. Fajarda, kung aware po kayo iyong proceedings, iyong last hearing po namin, were you able to hear off iyong mga statements made, for example ni Atty. Camora, in relation to your responsibilities or hindi niyo pa napapanood?

MR. FAJARDA. Hindi ko po napanood, Your Honor. Sorry po.

REP. GUTIERREZ. Sige. To refresh your memory na lang po, ano, and I'll just briefly...Mr. Chair, I would like to reconfirm with Atty. Camora, just some statements that you've made last time, Atty. Camora. Sorry. At least now, the SDOs are here, just to refresh their memory, iyong responsibilities po ng SDO ay nakalatag naman po doon sa joint circular natin, tama po?

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MS. CAMORA. Tama po, Mr. Chair.

REP. GUTIERREZ. And you were of the opinion that the responsibilities of the Special Disbursement...Disbursing Officer cannot be delegated, tama po ba?

MS. CAMORA. Yes po, Mr. Chair, since siya naman po iyong nakapirma sa *certification*.

REP. GUTIERREZ. So, the statements in the certification, which we have established, the form that has been provided by the joint circular, which cannot be amended or changed, this gives a particular responsibility to the SDO, and it certifies that they personally disbursed the funds. Is that our understanding, Atty. Camora?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Thank you very much, Atty. Camora.

So, Mr. Fajarda, naintindihan po natin iyong statement po ng ating COA, ano? Ang sinasabi po ng certification ay kayo po ay personally responsible para sa disbursement. Sinabi po rin, based on the certification, na hindi po ito puwede i-delegate. Ngunit ngayon, sinasabi niyo po sa amin na ibinigay po iyong responsibilidad kay Colonel Nolasco.

MR. FAJARDA. Your Honor, ako po iyong nagdi-disburse as a disbursing officer.

REP. GUTIERREZ. Pero ngayon po, sinasabi niyo po sa amin, sa Committee na ito, na hindi niyo po ma-pinpoint kung saan napunta iyong pera dahil ang mas may alam po dito ay iyong security officer po ninyo?

MR. FAJARDA. Yes, Your Honor. Kasi siya po ang designated security officer. Siya po ang expert doon sa paggawa po noon dahil hindi po ako expert doon.

REP. GUTIERREZ. Hindi po kayo expert. Dumadaan lang po sa iyo iyong pera?

MR. FAJARDA. Yes, Your Honor.

REP. GUTIERREZ. Kahit iyong certifications po na iyong isinusumite sa COA ay galing po kay Colonel Nolasco?

MR. FAJARDA. Hindi po. Si Colonel Nolasco po, ang work lang po niya is as designated security officer, siya lang po iyong sa field.

REP. GUTIERREZ. I'm sorry.

MR. FAJARDA. Sa field po. Sa field.

REP. GUTIERREZ. Sa bill?

MR. FAJARDA. Sa confidential operations po.

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REP. GUTIERREZ. Okay. Sa confidential operations, siya po?

MR. FAJARDA. Yes, Your Honor.

REP. GUTIERREZ. Pero, paano po iyong mga documentary evidence of payment, iyong ating mga acknowledgment receipts, saan po ito galing?

MR. FAJARDA. Sa kanya ko po kinukuha.

REP. GUTIERREZ. Iyon nga po iyong sinasabi po namin dito, Mr. Fajarda, 'no. Lahat ng pera dumadaan kay Colonel Nolasco, going out for the disbursement in the operations. And all of the acknowledgment receipts and documentary evidence of payment, dumadaan rin kay Colonel Nolasco pabalik sa opisina to you?

MR. FAJARDA. Yes, Your Honor. Ibinabalik po niya sa akin.

REP. GUTIERREZ. You have never had any interaction whatsoever with any of the recipients of the money.

MR. FAJARDA. Yes, Your Honor.

REP. GUTIERREZ. So, you cannot verify po the truthfulness of the ARs that you received?

MR. FAJARDA. Your Honor, nagbi-base lang po ako doon sa kung saan lang po talaga puwedeng igastos. Kaya, let's say, payment of rewards, mga ganyan po.

REP. GUTIERREZ. Exactly po. Pero you are just basing on that. Halimbawa po, may specific form iyong ating acknowledgment receipts, dapat nandiyan iyong pangalan, iyong signature, iyong date, iyong purpose, iyong amount. And you can only testify as to the category based on what Colonel Nolasco would feed you, what information. Pero hindi niyo po kilala kung sino ang nagpirma. Hindi niyo po alam kung totoo iyong pirma. Hindi mo alam kung tama iyong date, is that correct, Mr. Fajarda?

MR. FAJARDA. That is correct, Your Honor.

REP. GUTIERREZ. So, ano pa po ang punto ng Special Disbursement Officer? Naintindihan niyo po, Mr. Chair, most respectfully, kayo po ang bonded po dito. Kayo po ang...kapag may problema ang CF, kayo po ang mananagot sa Treasury. Do you understand that, Mr. Fajarda?

MR. FAJARDA. Yes, Your Honor.

REP. GUTIERREZ. So, how can you say now, in full honesty, iyong certification po ninyo, that you handled personally iyong disbursement ng confidential funds?

MR. FAJARDA. Nagdi-disburse po ako...

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REP. GUTIERREZ. You are...

MR. FAJARDA. Nagdi-disburse po ako ng confidential fund sa security officer po.

REP. GUTIERREZ. Iyon nga po. So, basically, ang ginagawa lang po pala ninyo ay ibinibigay niyo iyong pera sa security officer, but you have no role, whatsoever, in the verification of the acknowledgment receipts. You have no role, whatsoever, in scrutinizing iyong documentary evidence of payment.

In fact, Mr. Fajarda, let me ask you this po, 'no, I don't know if you've heard of this, pero earlier, in one of the hearings, we've had po iyong certifications by certain officers of the Armed Forces of the Philippines po, ano. Ginamit po ninyo, you attached it to the liquidation report as evidence po ng confidential operations. And yet, sinabi po ng military that they did not receive a single peso from the office of the Department of Education. And sabi rin po ng military officers, they did not know that the certification will be used in support of the liquidation reports. So, Mr. Fajarda, kayo po iyong nag-attach ng certifications na iyon, tama po ba?

MR. FAJARDA. Your Honor, ako po ang nag-attach noon, pero nag-explain na po ako noon kay Usec. Mike kung ano po ang nangyari doon.

REP. GUTIERREZ. And if kayo po iyong nag-attach, and you certified...Ito po iyong certification that you have...the expenses what occurred in connection of the agency's confidential operations securities with supporting documents attached to the liquidation of CF, documentary evidence of payment kept and sealed and put in the vault of the office of the SDO, you certified this po, Mr. Fajarda.

MR. FAJARDA. Yes, Your Honor.

REP. GUTIERREZ. Yet you cannot explain the relation kasi hindi po kayo iyong personally nag-manage nung DEPs, tama po ba?

MR. FAJARDA. Hindi po ako, Your Honor, ang nag-ano po ng DEPs. Sa field po kasi iyong documentary evidence of payment, Your Honor.

REP. GUTIERREZ. So, Mr. Chair, I think this is something that the Committee should consider. All these along, we were being led across this path, trying to follow...trying to follow the trail to the SDO. And now that the SDO has finally appeared, he still could not answer or be accountable. He could not explain with the amounts that were disbursed, the locations. He cannot explain the certifications used. In fact, I think what I have seen so far is that Mr. Fajarda, to the extent of his capability, only categorize, tama po ba? Kayo po iyong nag-certify sa liquidation report, iyong

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basis po na ito ay payment of rewards, payment of medicines. Pero, when we look into the very details and the ARs that were presented...ARs, which by the way, we have issues of fictitiousness or erroneousness na hindi niyo rin po masagot, it still leads around to another officer.

So, I think, Mr. Chair, I join, although the motion has already been moved on, I join with the motion of Congressman Acop, and I think we have to invite Colonel Nolasco. He would hold the key, siguro po, to what we are trying to find here.

Mr. Chair, na-move naman po iyong motion na iyon. So, I'm just reiterating the importance. With that, Mr. Chair, I think we would also be curious, as to it, the same system is being implemented in the Office of the Vice President, but seeing as this is only an interjection po, ano, to the question of Congressman Acop, I will yield to other interpellators, then we will just move from there. Thank you very much, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Gutierrez.

REP. F. L. CASTRO. Mr. Chair, an interject...Mr. Chair...

THE CHAIRPERSON. Congresswoman France Castro, you are recognized.

REP. F. L. CASTRO. Yes. I would like also to interject to the, ano, 'no, to the interpellation of Representative Acop and Representative Gutierrez.

Kay Mr. Fajarda po, Mr. Chair. So, iyong 37.5 million na winidro (*withdraw*) niyo po doon sa bangko, ano po ito, iyong three times, 'no, sa DEPED, tama po ba, Mr. Fajarda?

MR. FAJARDA. Tama po, Your Honor.

REP. F. L. CASTRO. Okay. So, after the...after the withdrawal, dinidiretso na ito dito sa security officer named Colonel Nolasco?

MR. FAJARDA. Sa office po muna, Your Honor, and then...

REP. F. L. CASTRO. Yes.

MR. FAJARDA. ...tatawagan ko lang po siya.

REP. F. L. CASTRO. Yeah. Oo.

MR. FAJARDA. Opo, Your Honor.

REP. F. L. CASTRO. So, ito po bang si...By the way, sino po iyong nag-designate kay Colonel Nolasco. Hindi ko po kasi narinig iyong kay Representative Acop, sino po ba iyong nakapirma? Mayroon po bang certification? Mayroong in writing na si Colonel Dennis Nolasco iyong pagbibigyan niyo ng pera?

MR. FAJARDA. As designate po siya as...

REP. F. L. CASTRO. Yeah. Oo.

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MR. FAJARDA. ...as security officer po, mayroon po.

REP. F. L. CASTRO. Sino ang nag-designate?

MR. FAJARDA. Si Colonel Lachica...

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MR. FAJARDA. (Continuing)...Colonel Lachica po.

REP. F. L. CASTRO. So, mayroon siyang written designation?

MR. FAJARDA. Memo po. Mayroon po. Mayroon po, Your Honor.

REP. F. L. CASTRO. Mr. Chair, can we have the copy of the designation? Kasi, Mr. Chair...

MR. FAJARDA. Wala lang po akong dala.

REP. F. L. CASTRO. Do you have a copy of that letter of designation?

MR. FAJARDA. Wala lang po akong dala, Your Honor.

REP. F. L. CASTRO. Okay. So, next ano na lang, Mr. Chair. Okay. Thank you, Mr. Chair.

REP. SUAREZ. Mr. Chair. In...

REP. F. L. CASTRO. Isa na lang, Mr. Chair. Kasi tanong ko kasi sa... Ang may bond po kayo, so ang magdi-disburse po ay yuong si Nolasco. Wala siyang bond, tama ba?

MR. FAJARDA. Wala po siyang bond.

REP. F. L. CASTRO. So, therefore, kung anuman iyong mangyari po dito na anomalya or problema, kayo po iyong ano doon,kayo po iyong aako noong accountability?

MR. FAJARDA. Ako po ang bonded, Mr. Chair.

REP. F. L. CASTRO. Okay. So, kayo nga po iyong aako ng accountability just in case na ito ay ano, 'no, may proble... nagkaroon ng problema, ng anomalya, or anumang maling paggamit.

Okay. Thank you, Mr. Chair. That's all.

THE CHAIRPERSON. Thank you, Congresswoman France Castro.

The Chair would like to recognize the Honorable Deputy Speaker Jay-Jay Suarez.

REP. SUAREZ. Thank you very much, Mr. Chair.

Mr. Chair, with regards to the point raised by Congressman Gutierrez and Congresswoman Castro, dito po sa pagdi-designate kay Colonel Nolasco, sino po ang nagbigay ng kapangyarihan para siya po ang maging designated officer? Ito po iyong ginamit ninyong term, 'no. Sino po iyon?

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MR. FAJARDA. Mr. Chair, I was informed po ni VP Sara na may idi-designate po na.... na security officer.

REP. SUAREZ. Hindi kaya nga. So, ang instruction nanggaling po kay?

MR. FAJARDA. Kay VP Sara po na may idi-designate po na security officer.

REP. SUAREZ. Okay. So, nanggaling po sa Vice President?

MR. FAJARDA. Yes, Your Honor.

REP. SUAREZ. Siya po ang dinesigneyt *(designate)* para...

MR. FAJARDA. As Security Officer po sa DEPED, Your Honor.

REP. SUAREZ. Hindi. Sino ang nag-designate kay Colonel Nolasco para i-disburse iyong 37 million pesos every quarter?

MR. FAJARDA. Your Honor, as part po ng trabaho niya po iyon, eh. Kasi confidential operation po, so sa kanya ko po idini-disburse iyong pera.

REP. SUAREZ. Opo. Hindi, hindi ninyo po naiintindihan iyong sagot ko... iyong tanong ko, Mr. Fajarda, because, you know, it can be anybody there. So, my question is, sino po ang nagbigay ng pahintulot o ng kapangyarihan para si Colonel Nolasco po ang mag-disburse noong pera?

MR. FAJARDA. Your Honor, si VP Sara po.

REP. SUAREZ. Mayroon pong papel na nagsasabi? Kasi kayo po iyong may responsibilidad sa pera na ito, eh, dapat kayo po ang nagdi-disburse. So, you cannot designate that authority and that power to anybody else. So, now, is there a document that you can show that, indeed, it came from the Vice President?

MR. FAJARDA. Wala lang po akong dala, Your Honor.

REP. SUAREZ. So, mayroon?

MR. FAJARDA. Mayroon po, Your Honor.

REP. SUAREZ. And can you produce that document, Mr. Fajarda?

MR. FAJARDA. Yes, Your Honor.

REP. SUAREZ. Okay. And in that document that you will produce, is this one document or three separate documents every time you withdraw 37 million?

MR. FAJARDA. Only one document lang po.

REP. SUAREZ. Just one document. And would you know the date to this document, Mr. Fajarda?

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MR. FAJARDA. Hindi ko po maalala ang date but...

REP. SUAREZ. Taon?

MR. FAJARDA. Dalhin ko na lang po.

REP. SUAREZ. Taon?

MR. FAJARDA. Mga January po. Mga January 2023.

REP. SUAREZ. January 2023.

MR. FAJARDA. Mga ganyan po.

REP. SUAREZ. Okay, January 2023.

Kasi nakakapagtaka lang po, Mr. Fajarda, malaking halaga po ang pinag-uusapan natin, hindi po biro ito, at naka-bond po ito sa inyo bilang Special Disbursement Officer. I just find it a little bit questionable that such a responsibility would be transferred or passed on to somebody else, especially when it comes to the utilization of such a huge amount.

So, iyon lang po, Mr. Chair, 'no.

So, sana lang po, Mr. Fajarda, maibigay ninyo po sa amin iyong kasulatan na sinasabi po ninyo na nagbibigay po ng pahintulot ang ating Vice President kay Colonel Nolasco para siya po mag-disburse noong pera.

Maraming-maraming salamat po.

MR. FAJARDA. Thank you, Your Honor.

THE CHAIRPERSON. Congressman Gutierrez, you are recognized.

REP. GUTIERREZ. Mr. Chair, just a short manifestation, 'no, after just hearing po iyong questions that were answered by Mr. Fajarda.

For the consideration of the Committee and perhaps for the Committee Secretariat po, I'd like to move... ah, not move, I'd like po siguro that it will be included in the Committee Report siguro, strengthening the definition of disbursement. Kasi po, personally, I don't believe the fact of handing the money from the vault to another person... all of the money from vault to person lang naman, I don't think that's considered disbursement. I think we have to consider the ending point po, 'no, iyong actual end users or iyong beneficiaries po ng payment.

Iyong sinasabi po ni Mr. Fajarda na it is disbursement in the sense na siya po nag-disburse sa isang security officer, I don't think this is what we are guarding or

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strengthening by law. So, I'm not sure, Mr. Chair, if this would be whether in... this should be in a law that guidings for COA... guidance for COA or any law that we might pass to strengthen confidential and intelligence fund, but I hope that we can consider this through the Committee Secretariat.

Iyon lamang po. Thank you, Mr. Chairman.

REP. SUAREZ. Thank you very much.

Mr. Chair, in addition to...

THE CHAIRPERSON. Congressman Jay-Jay Suarez, you are recognized.

REP. SUAREZ. Mr. Fajarda, I'm sure naiintindihan niyo po iyong gravity nito pong nangyari. Kasi, kung mapapatunayan po na nagkaroon po ng anomalya, problema sa paggagastos at [redacted] po ng pera pong ito, may malaking kaso po ang puwedeng harapin po ninyo dahil kayo po iyong Special Disbursement Officer. Nauunawaan ninyo po iyon?

MR. FAJARDA. Opo.

REP. SUAREZ. Opo, okay.

With that being said, Mr. Chair, Mr. Fajarda, so gusto ko lang po malaman iyong process, eh, 'no, kasi sinabi niyo nailagay niyo po sa vault iyong 37 million pesos, paano niyo po idini-disburse iyong 37 million pesos? Ito po ba ay bultuhan niyong ibinibigay kay Colonel Nolasco na isang bultong 37 million pesos o by tranches ninyo pong ibinibigay sa kanya?

MR. FAJARDA. Your Honor, tumatawag po ako sa kanya, mostly weekly. Weekly po.

REP. SUAREZ. Paano po?

MR. FAJARDA. Weekly po, weekly.

REP. SUAREZ. Weekly kang...

MR. FAJARDA. Pero hindi naman...

REP. SUAREZ. So, pagkatapos ninyo pong mag-withdraw... Siya din ang kasama ninyo sa pagwi-withdraw, 'di ba, nabanggit ninyo.

MR. FAJARDA. Hindi po, iba po. Siya lang po ang naga-assign...

REP. SUAREZ. Ah, si Allan ang kasama po ninyo sa pagwi-withdraw.

MR. FAJARDA. Siya po lang naga-assign kung sino po kasama ko.

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REP. SUAREZ. So, tapos, 'pag nasa… 'pag hawak niyo na po iyong 37 million, tatawag po kayo kay Colonel Nolasco weekly?

MR. FAJARDA. Your Honor, mostly weekly po. Pero hindi naman po eksaktong weekly, mostly weekly.

REP. SUAREZ. And then?

MR. FAJARDA. And then doon po… sa kanya ko po idi-disburse iyong pera.

REP. SUAREZ. Inn what… In what amounts?

MR. FAJARDA. Nagri-range po sa 4 to 6 million. Pero hindi po pare-pareho ang amount.

REP. SUAREZ. Kasi kung 4 to 6 million weekly, you're talking about maybe 8 to 10 weeks. So, that's maybe… it would take you around two months to disburse?

MR. FAJARDA. More or less, Your Honor.

REP. SUAREZ. No, bigyan ninyo lang ako ng figure na puwede ko pong panghawakan. More or less?

MR. FAJARDA. Mga lampas two months po. Mga ganyan.

REP. SUAREZ. Mga lampas two months.

MR. FAJARDA. Opo.

REP. SUAREZ. Okay. Iyon lang po kasi siyempre binabangga po namin ito doon sa mga acknowledgment receipts at saka performance report noong audit so we just wanted to make sure na nagta-tie up po iyong numbers.

That's all I have, Mr. Chair.

MS. DUTERTE. Mr. Chair.

THE CHAIRPERSON. Yes, Vice President Sara Duterte.

MS. DUTERTE. Sir, pasensya ka na, wala talaga kaming kakampi dito but I really request to strike out "[redacted]".

REP. SUAREZ. Mr. Chair, I concur with the point of Congress… of the Vice President. We can strike it out.

THE CHAIRPERSON. Yes. Could you put it in motion?

REP. SUAREZ. I move that we strike out the word "[redacted].

REP. A. D. GONZALES. I second.

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THE CHAIRPERSON. Is there any objection? *(Silence)* Hearing none, the motion is carried.

REP. A. D. GONZALES. Mr. Chairman.

THE CHAIRPERSON. Yes, the Honorable Senior Deputy Speaker is recognized.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

It's almost three o'clock, the Speaker will… will address the body before three o'clock, may I move for a temporary suspension and then after we will convene, Mr. Chairman. Thank you, Mr. Chairman.

THE CHAIRPERSON. Is there any second to the motion?

VOICE. I second.

THE CHAIRPERSON. Duly seconded, is there any objection? *(Silence)* Hearing none, the motion is carried.

Suspension: 2:27 p.m.

(MS. REGILYN B. ENCIO TOOK OVER)

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Suspension: 2:27 p.m.

Resumption: 4:21 p.m.

THE CHAIRPERSON. Committee hearing resumes.

The Honorable Jinky Luistro is recognized by the Chair.

REP. LUISTRO. Thank you, Mr. Chair.

I wish to direct my questions to Ms. Gina F. Acosta. Ma'am, good afternoon.

MS. GINA F. ACOSTA (Special Disbursing Officer, Office of the Vice President). Good afternoon po, Ma'am. Good afternoon po, Mr. Chair, at sa lahat ng mga Congressman na nandito. Maayong hapon sa inyong tanan.

THE CHAIRPERSON. Thank you po, Ma'am Gina Acosta.

REP. LUISTRO. With the permission of the Chair.

Ms. Acosta, taga saan po kayo?

THE CHAIRPERSON. You're recognized, Ma'am Gina Acosta.

MS. ACOSTA. Taga-Davao po ako, Ma'am.

REP. LUISTRO. And would you confirm that you were born and raised also in Davao?

MS. ACOSTA. I was born in Compostela, Davao del Norte po.

REP. LUISTRO. Yes. And prior...of course, you confirm that you are the Special Disbursing Officer of the Office of the Vice President, you confirm that?

MS. ACOSTA. Yes po, Ma'am, I confirm.

REP. LUISTRO. Prior to your appointment as SDO, saan po ang trabaho ninyo?

MS. ACOSTA. Sa Office of the Vice President po under sa Office ng Chief of Staff.

REP. LUISTRO. Prior to your appointment in the Office of the Vice President, where were you appointed or where did you work?

MS. ACOSTA. Sa City Government of Davao po.

REP. LUISTRO. And can we be enlightened, Ms. Acosta, ano po ang naging trabaho natin sa LGU of Davao?

MS. ACOSTA. Ang trabaho ko po ay...ang aking posisyon ay Supervising Administrative Staff doon sa City Budget Office. And then, ahm...ahm...ano'ng tawag noon?

REP. LUISTRO. You said Supervising Administrative Staff in the Budget Office, tama po ba?

MS. ACOSTA. Opo, Ma'am.

REP. LUISTRO. May we know what salary grade is that?

MS. ACOSTA. Salary Grade 22.

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REP. LUISTRO. Salary Grade 22. Ito po ba ay department head position na?

MS. ACOSTA. Ay, sorry, Ma'am, assistant po.

REP. LUISTRO. Assistant Department Head?

MS. ACOSTA. Opo.

REP. LUISTRO. And how long did you work in the Davao City LGU?

MS. ACOSTA. Nag-start po ako 1996 sa Sangguniang Panlungsod po, then after three years, nalipat po ako sa City Hall of Davao.

REP. LUISTRO. 1996, you were working at the Sangguniang...

MS. ACOSTA. Panlungsod.

REP. LUISTRO. ...Panlungsod?

MS. ACOSTA. Opo, Ma'am.

REP. LUISTRO. Who was your Vice Mayor during that time?

MS. ACOSTA. Si Vice Mayor Luis Bonguyan po.

REP. LUISTRO. So, that was 1996. After this, what was next?

MS. ACOSTA. Nandoon pa ako sa Sangguniang Panlungsod, and then nag-apply ako ng promotion na ilipat po ako sa City Hall of Davao, iyon iyong sa City Budget Office. And then, after City Budget Office po, ahm...ano'ng tawag...

REP. LUISTRO. If I may interrupt, Ma'am. While you were at the City Budget Office, sino po ang ating Local Chief Executive or Mayor?

MS. ACOSTA. Si Ma'am Inday Sara Duterte po.

REP. LUISTRO. And after the City Budget Office, you were saying you were transferred?

MS. ACOSTA. Na-ano lang ako, Ma'am...ano'ng tawag noon...na... Ma'am, puwede po magpatulong ako sa aking abogado?

REP. LUISTRO. Mr. Chair, can we please inform our resource person that the participation of the lawyers is limited only to assist...

THE CHAIRPERSON. Legal advice.

MS. ACOSTA. Ah, opo. Ay na...tawag doon? Hindi na-transfer, na-detail po ako sa City Administrator's Office, detail, po, Ma'am.

REP. LUISTRO. From City Budget Office to City Administrator's Office, were there other positions in the LGU Davao that you assumed? May iba pa po ba kayong naging trabaho after the City Budget Office and the City Administrator's Office?

MS. ACOSTA. Ako po ang SDO po.

REP. LUISTRO. SDO po ng?

MS. ACOSTA. Ng confidential rin po.

REP. LUISTRO. Are you referring to LGU of Davao City?

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MS. ACOSTA. Yes po.

REP. LUISTRO. You are saying that you were the Special Disbursing Officer of Davao City confidential fund?

MS. ACOSTA. Yes po.

REP. LUISTRO. Can you please enlighten us, ano pong inclusive period noong City Budget Office, as far as you can recall?

MS. ACOSTA. Iyong na-employ po ako sa City Budget Office, Ma'am? 1996...

REP. LUISTRO. Inclusive period, Ma'am. From what year to what year?

MS. ACOSTA. Hindi ko naman masiyado...hindi ko naman maalala, Ma'am. Sorry po, Ma'am.

REP. LUISTRO. Okay. How about the Administrator's Office, can you still recall?

MS. ACOSTA. Yes po, 2016 or '18.

REP. LUISTRO. 2016 to?

MS. ACOSTA. To 2022 of June.

REP. LUISTRO. 2022 of June?

MS. ACOSTA. Tama, Ma'am.

REP. LUISTRO. But you mentioned a while ago that you worked as well as the Special Disbursing Officer of Davao City confidential fund. So, if you are saying that from 2016 to 2022, you are at the City Administrator's Office...ano po iyong inclusive date na SDO naman kayo ng Davao City confidential fund?

MS. ACOSTA. Ang maalala ko, Ma'am, the last three years po bago po ako nagpunta sa Office of the Vice President po.

REP. LUISTRO. So, is it safe to say that from 2019 to 2022, kayo po ang Special. Disbursing Officer ng Davao City confidential fund, would you confirm that?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. 2019 to 2022. Nonetheless, iyon pong pagiging officer ninyo sa City Budget Office, kailan po ito nag-umpisa? Your first employment at Davao City LGU is Sangguniang Bayan, tama po?

MS. ACOSTA. Sangguniang Panlungsod po.

REP. LUISTRO. Can you please give an approximate year, kailan po ba itong City Budget Office?

MS. ACOSTA. 1996, '97, '98, '99, hindi ko masyadong matandaan, Ma'am, base...Sorry, nag-Bisaya ako po...

REP. LUISTRO. Approximate year lang, Ma'am, reasonable guess.

MS. ACOSTA. Mga...kasi nag-start ako sa Sangguniang Panlungsod is 1996...

REP. LUISTRO. Was it after the...

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MS. ACOSTA. '99 yata, Ma'am.

REP. LUISTRO. 1999, okay. Let's assume from 1999 to 2022, you worked as City Budget...in the City Budget Office followed by the Administrator's Office. And then, to be particular, from 2019 to 2022, kayo na po ang Special Disbursing Officer of Davao City confidential fund, you confirm, Ma'am?

MS. ACOSTA. Yes po, iyong Vice...iyong Mayor po si Ma'am Sara Duterte.

REP. LUISTRO. But you will confirm also, Ms. Acosta, that during your time in the City Budget Office, ang atin na pong Bise President ang inyong Mayor? Because you said a while ago, it was the Vice President who was the LCE during that time, tama po ba? At least can you confirm? Noon po bang nasa City Budget Office kayo, sino po ang Mayor?

MS. ACOSTA. Si Ma'am Sara Dut...si Ma'am Sara.

REP. LUISTRO. Ang atin pong Bise Presidente?

MS. ACOSTA. Opo, opo.

REP. LUISTRO. Okay po. Noon pong nasa Administrator's Office kayo, sino po ang Mayor?

MS. ACOSTA. Si Ma'am Sara Duterte po.

REP. LUISTRO. Si Vice President din po. How about when you worked as SDO of the confidential fund of Davao City, sino po ang Mayor?

MS. ACOSTA. Si Ma'am Sara Duterte po.

REP. LUISTRO. And, of course, you understand that SDO or the position of SDO is a very significant, confidential position that requires utmost trust and confidence from the LCE, tama po ba?

MS. ACOSTA. Tama po, Ma'am.

REP. LUISTRO. And is it correct to say also, na-satisfy po ninyo iyong standard na required ng ating Bise Presidente during the time that you were in the City Budget Office, during the time that you were at the Administrator's Office, reason why you were entrusted this position of becoming the Special Disbursing Officer of Davao City confidential fund, tama po ba?

MS. ACOSTA. Yes po.

REP. LUISTRO. Because, otherwise, kung hindi po kayo pinagtitiwalaan...

(MS. NERIZZA G. ONA TOOK OVER)

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REP. LUISTRO. (Continuing)...hindi po kayo pinagtitiwalaan ng ating Presidente, this entails huge amount of confidential fund, I believe na hindi po kayo ia-appoint bilang Special Disbursing Officer.

MS. ACOSTA. Yes po.

REP. LUISTRO. You confirm that?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. After your appointment and employment as SDO of Davao City LGU, Confidential Fund, ano po'ng sumunod na dito?

MS. ACOSTA. Nalipat po ako sa Office of the Vice President, Ma'am.

REP. LUISTRO. Sa tingin ninyo po kaya, Ms. Acosta, what is the reason kung bakit ipinagtiwala po sa inyo ng ating Bise Presidente ang pagiging Special Disbursing Officer ng OVP?

By the way, Ms. Acosta, kung iyon pong 2019 to 2022, your position as SDO specifically pertains to confidential fund of Davao City LGU—that's what you said earlier—ano naman po itong pagiging SDO ninyo sa OVP? To what particular fund were you appointed as the Special Disbursing Officer?

MS. ACOSTA. Sa confidential funds po.

REP. LUISTRO. Confidential fund din po.

Tama po bang sabihin that with your length of stay in Davao City bilang Special Disbursing Officer, Confidential Fund, somehow, na-master ninyo na kung paano i-utilize ang confidential fund?

MS. ACOSTA. Hmm...na-master gamay, Ma'am, pero sa ako ang edad murag ang uban, 'di na nako ma-recall. Oo.

REP. LUISTRO. Mr. Chair, I lament that the people will not understand what...

THE CHAIRPERSON. Mayroon po bang marunong mag-translate?

REP. ZIA ALONTO ADIONG. Ma'am, puwede pong paulit? Parang...*(Spoken in local dialect)*...

THE CHAIRPERSON. Paki ulit po ninyo iyung inyong binanggit.

MS. ACOSTA. Okay po.

(Spoken in local dialect)... Tama ba, Ma'am?

REP. ADIONG. Mr. Chair, sa...iyung tanong daw ni Cong. Jinkie, sa tagal daw ho niya na SDO, alam din ho daw niya kung ano iyung pamamaraan at pagtakbo at trabaho ng SDO.

REP. LUISTRO. Ms. Acosta, saan po kayo mas komportable, Tagalog or English?

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MS. ACOSTA. Ah...mas...Tagalog, Ma'am. Usay ma...ma...ma-mix po ng Bisaya po, Ma'am.

REP. LUISTRO. Yeah. But I hope you will try your best to speak in Filipino...

MS. ACOSTA. Yes.

REP. LUISTRO. ...in Tagalog, so the people will understand us. Puwede po ba?

MS. ACOSTA. I'll try my best, Ma'am.

REP. LUISTRO. Pagsikapan po natin.

At dahil na-master ninyo na po kung ano dapat gawin bilang SDO ng confidential fund ng Davao City, kayo po ba'y naniniwala na iyung inyong karanasan at tiwalang ipinagkaloob sa inyo ng ating Bise Presidente noong kayo'y SDO ng Davao, ito din po ang dahilan kung bakit kayo in-appoint bilang SDO ng confidential fund ng Office of the Vice President?

MS. ACOSTA. Sa tingin ko po dahil po sa trust and confidence ni Ma'am VP, Ma'am.

REP. LUISTRO. Yes.

Ma'am, ano po sa pagkakaalam ninyo ang trabaho ng isang Special Disbursing Officer?

MS. ACOSTA. Ang pagkakaalam ko, ang trabaho ng isang Disbursing Officer ay siya po ang in charge to disburse the amount. And, therefore, accountable po siya.

REP. LUISTRO. In addition po sa disbursement, ano pa pong naaalala ninyo na isa sa mga pangunahing trabaho ng SDO?

MS. ACOSTA. Siya po ay isang accountable person.

REP. LUISTRO. Accountable person.

Would you agree with me, kayo ho ba'y sasang-ayon na bilang SDO kasama po kayo sa gumagawa ng financial plan?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Sasang-ayon din po ba kayo, bilang SDO, kasama din po kayo sa preparation ng liquidation report?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Bilang SDO, kasama din po kayo sa certification kung saan ginamit ang confidential fund?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. At bilang SDO, kasama din po kayo sa preparasyon ng ating accomplishment report. Tama po ba?

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MS. ACOSTA. Ang accomplishment report po, Ma'am, ay magbe-base po ako sa aming...

REP. LUISTRO. But nevertheless, Ms. Acosta, kasali po ba kayo doon sa gumagawa ng accomplishment report?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Yes.

Ang na-mention ko po, Ms. Acosta, is the entire process of utilization. It starts with the preparation of the financial plan; tapos susundan po ito ng disbursement; under the disbursement, dito po tayo nagkakaroon ng encashment of check; and after the encashment of check, after the utilization of the same, papasok po iyung liquidation of report; and then the certification that the same were utilized properly; pagkatapos, may isa-submit din po kayong accomplishment report.

What I said, Ms. Acosta, represents the entirety of the utilization process of confidential fund. At nangangahulugan po, Ms. Acosta, alam ninyo, simula umpisa ng proseso hanggang katapusan, kung ano'ng nangyari doon sa confidential fund. Tama po ba?

MS. ACOSTA. Hmm...sa...sa trabaho ko ngayon bilang SDO, Ma'am, ang aking nalalaman po ay 'pag nakuha ko na po ang pera—kasi may information po ako na ibigay ko po sa aming...

REP. LUISTRO. Sandali po, Ms. Acosta. Ang atin pong katanungan ay simula po sa financial plan, disbursement, liquidation, certification, accomplishment, ito na po ang kabuuan ng proseso ng paggamit ng utilization fund. Which means, dahil kasali kayo sa lahat ng ito, alam ninyo kung ano'ng nangyari sa confidential fund ng OVP. Tama po ba?

MS. ACOSTA. Tama po, Ma'am.

REP. LUISTRO. Okay.

May I request the Secretariat to please flash the disbursement voucher.

THE CHAIRPERSON. ComSec.

REP. LUISTRO. Question, Ms. Acosta, who gives instruction for the preparation of disbursement voucher?

MS. ACOSTA. Si VP po.

REP. LUISTRO. Let me go back to the financial plan first.

MS. ACOSTA. Yes po.

REP. LUISTRO. Who prepares the financial plan?

MS. ACOSTA. Ako po at ang aming designated security officer.

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REP. LUISTRO. You are the one, along with the security officer, who prepares the financial plan.

Who, then, approves the financial plan?

MS. ACOSTA. Ah...approved by the head of agency.

REP. LUISTRO. And the head of the agency is?

MS. ACOSTA. Ma'am VP Sara po.

REP. LUISTRO. Okay.

Now, we go to disbursement voucher.

Who gives instruction to prepare the disbursement voucher, Ma'am? Sino po ang nagbibigay ng instruction para gawin ang disbursement voucher?

MS. ACOSTA. Ah...'pag ni-release na po ang SARO, mag-instruct po sa akin ang head of agency na puwede na po mag-prepare ng disbursement voucher.

REP. LUISTRO. And the head of agency is?

MS. ACOSTA. Ma'am VP Sara po.

REP. LUISTRO. Yes. Secretariat, please, our disbursement voucher.

What we will be flashing, Ms. Acosta, is our disbursement voucher, dated December 20, 2022. Do you see your signature in the document?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Can you please direct us where your signature is? Would I be correct, it is at the bottom left?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Which means that, you were the one who received the check?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. With the number 244027. This December 20, 2022.

MS. ACOSTA. Yes po.

REP. LUISTRO. Across your signature is your name "Gina F. Acosta."

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. You confirm this?

MS. ACOSTA. Yes, I confirm po.

REP. LUISTRO. Just for the record, Ms. Acosta, do you confirm the authorship of this signature appearing in the disbursement voucher? Pirma ninyo po ba ito?

MS. ACOSTA. Yes, Ma'am.

REP: LUISTRO. Yes.

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And since you were the one who received the disbursement voucher, it is understandable that the check is issued to your name.

MS. ACOSTA. Yes po.

REP. LUISTRO. Tama po?

MS. ACOSTA. Tama po, Ma'am.

REP. LUISTRO. Can we flash the check? Secretariat, please.

Would you confirm to us that this is the check that corresponds to the last quarter of 2022?

MS. ACOSTA. Yes, Ma'am, I confirm.

REP. LUISTRO. Yes.

What did you do with this check, Ms. Acosta? Ano po'ng ginawa ninyo sa tsekeng ito?

MS. ACOSTA. 'Pag tinatawagan na po ako ng aming Cash Division na okay na po 'yung tseke sa...

REP. LUISTRO. Sandali po.

Sino po iyon?

MS. ACOSTA. Cash Division po.

REP. LUISTRO. Cash Division po ng?

MS. ACOSTA. Ng Office of the Vice President.

REP. LUISTRO. Office of the Vice President.

The check is in your possession already, nasa inyo na pong pangangalaga. Ano po'ng ginawa ninyo dito sa tseke na ito?

MS. ACOSTA. Magpa-encash po sa Land Bank...

(MS. THELMA M. RETUBA TOOK OVER)

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MS. ACOSTA. (Continuing)...Magpa-encash po sa Land Bank.

REP. LUISTRO. Nagpa encash the Land Bank. Saan po ba particular branch niyo i-encash itong tseke na ito?

MS. ACOSTA. Sa Land Bank, Shaw.

REP. LUISTRO. Land Bank, Shaw Boulevard.

MS. ACOSTA. Opo.

REP. LUISTRO. Can you please read the amount indicated in the check. How much is this check?

MS. ACOSTA. One hundred twenty-five million pesos po.

REP. LUISTRO. And can you please enlighten us kailan niyo po ba ito in-encash?

MS. ACOSTA. December 20, 2022.

REP. LUISTRO. And that is the same date as the issuance of the check.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Mabilis lang ho ba maggawa ng tseke sa inyo? Mabilis lang po ba?

MS. ACOSTA. Sa tingin ko mabilis kasi nandiyan naman agad ang tseke po.

REP. LUISTRO. As a matter of fact, Ma'am, the date of the disbursement voucher, the date of the check, and the encashment of the check are the same.

MS. ACOSTA. The same.

REP. LUISTRO. That is December 20, 2022.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. And please walk us through paano ho ba ninyo ginawa itong encashment ng tsekeng ito? Medyo nakakapaisip lang po considering the huge amount equivalent of this check, 125 million. Physically, napakahirap po nitong bitbitin. Tama po ba, Ms. Acosta?

MS. ACOSTA. Tama po, Ma'am.

REP. LUISTRO. Kayo po ba'y may kasama when you did the encashment of this check?

MS. ACOSTA. Mayroon po akong kasama, Ma'am.

REP. LUISTRO. Sino po ang kasama ninyo?

MS. ACOSTA. Si ASec Lemuel Ortonio po.

REP. LUISTRO. ASec Lemuel Ortonio. Do you confirm that he is the same Assistance Chief of Staff?

MS. ACOSTA. Yes, Ma'am.

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REP. LUISTRO. Aside from ASec Ortonio, may kasama pa po ba kayong iba?

MS. ACOSTA. Wala na po.

REP. LUISTRO. Kayong dalawa lang po.

MS. ACOSTA. Yes po.

REP. LUISTRO. At saan niyo po inilagay itong perang ito after the check was encashed?

MS. ACOSTA. Inilagay po sa apat ng travelling bag.

REP. LUISTRO. Paano ninyo po ito nabitbit?

MS. ACOSTA. Pagkatapos po, kung… kung ang pera po ay nasa apat na na bag, tinutulungan po kami ng security guard ng Land Bank na isakay po sa sasakyan.

REP. LUISTRO. Okay. From Shaw Boulevard, saan niyo po dinala itong perang ito?

MS. ACOSTA. Sa office, sa office namin po, sa OVP office.

REP. LUISTRO. Sa OVP. Was it your office or was it the Office of the Vice President?

MS. ACOSTA. Mayroon po akong isang office doon na nakalagay po ang aming vault.

REP. LUISTRO. Gaano po ba kalaki iyong inyong vault?

MS. ACOSTA. Mga four feet, tapos tatlo po.

REP. LUISTRO. Tatlo na four feet na vault.

MS. ACOSTA. Opo.

REP. LUISTRO. Balikan ko po iyong bag na na-mention niyo kanina. Can you please describe to us gaano po kalaki, anong itsura ng bag? You said there were four bags where you placed the entire amount of 125 million?

MS. ACOSTA. Color black.

REP. LUISTRO. We are showing this gym duffle bag. Is it similar to that, Ma'am?

MS. ACOSTA. Dako pa ana, Ma'am. Mas Malaki pa nito, Ma'am.

REP. LUISTRO. Mas malaki pa po diyan. Iyong bawat bag ho na mas malaki pa diyan, gaano po ang laman?

MS. ACOSTA. More than 30, 30M.

REP. LUISTRO. So, the 125 million was divided into four bags. One bag is 30. How about the second bag?

MS. ACOSTA. Thirty po.

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REP. LUISTRO. Thirty also. The third bag is?

MS. ACOSTA. More than… minsan po, Ma'am, more than 30 po.

REP. LUISTRO. More than… a little more than 30.

MS. ACOSTA. Oo, 30.

REP. LUISTRO. And the fourth bag is more than 30 also. The total of which is 125 million. Ilan ho bang security guard iyong tumulong sa inyo?

MS. ACOSTA. Pagpa… Noong inilagay na po ang pera sa bag, dalawa pong security guard ng Land Bank.

REP. LUISTRO. Land Bank, Shaw Boulevard.

MS. ACOSTA. Opo, Ma'am.

REP. LUISTRO. Tanong, Ms. Acosta, hindi po ba kayo natakot magbitbit ng ganito kalaking halaga na pera considering the possibility na baka ma-hold up kayo? Remember, you are covered by a fidelity fund… bond and one of the reasons is the possibility of losing this huge amount of money.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Bukod po ba kay Mr. Ortonio, sino pa po ba ang kasama ninyo sa sasakyan?

MS. ACOSTA. Driver po.

REP. LUISTRO. So, there were three of you only.

MS. ACOSTA. Dalawa pong sasakyan, Ma'am.

REP. LUISTRO. Two drivers?

MS. ACOSTA. Opo. Isa po ang nagda-drive sa akin, isang sasakyan, tapos isang sasakyan po ang sinasakyan ni ASec Ortonio.

REP. LUISTRO. And were you seated… So, you mean, you are seated on different cars.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Iyong isang sasakyan ang kasama niyo po'y driver lang and the other car, Mr. Ortonio and the driver.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Balikan ko po iyong question ko, Ms. Acosta. Hindi po ba kayo natakot, ninerbiyos, nag-alala, this is 125 million?

MS. ACOSTA. Natakot po, Ma'am, kaya nagpasama po ako kay ASec Ortonio po.

REP. LUISTRO. And do you believe that ASec Ortonio has the capability to secure not just you but even the 125 million?

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MS. ACOSTA. I believe po kasi lalaki naman po siya kaysa... kaysa babae ang kasama ko. Nag convoy po kami, Ma'am.

REP. LUISTRO. Yeah. Usually, ang mga holdapers po may mga baril. Tama po ba?

MS. ACOSTA. Opo.

REP. LUISTRO. Si Mr. Ortonio po ba, is he... does he have a firearm also?

MS. ACOSTA. Hindi ko po alam, Ma'am, kung may dala siyang baril.

REP. LUISTRO. And what gives you the confidence na pag kasama niyo si ASec Ortonio okay na kayo?

MS. ACOSTA. At least dalawang sasakyan po, Ma'am. Hiwalay. At least kung maano man, ma-hold up man, mayroon pang isa. Iyan po ang nailagay sa isip ko, Ma'am, kay takot...

REP. LUISTRO. So, ibig sabihin, Ma'am, during the time that you were encashing the check, you are entertaining the possibility na baka kayo ma-hold up that's why you said, "Kung ma-hold up man iyong isa, may tirang isa. Do you confirm that?

MS. ACOSTA. Yes, Ma'am. Iyan po ang nasa isip ko.

REP. LUISTRO. Ms. Acosta, kung ganoon naman pala na iniisip niyo na iyong possibility of hold up, bakit hindi po kayo nagsama ng mga taong makakatulong ninyo to secure a huge amount of money? Kayo po ba ay ilan doon sa OVP? Wala po bang security guard doon or security officers or perhaps the member of the security team of our Vice President who could have helped you secure this huge amount of money?

MS. ACOSTA. Mayroon naman po kaming security, Ma'am. Pagdating namin sa office, nakaabang na po kung sino po iyong in charge, o sino po iyong naka-duty na VPSPG po, Ma'am.

REP. LUISTRO. But, of course, you will agree with me that the danger lies not only at the entrance, not only at the bank, but in the entire thoroughfare leading to your office of the OVP, tama po ba?

MS. ACOSTA. Yes po, pero...

REP. LUISTRO. Balikan ko po iyong tanong ko kanina, Ms. Acosta. Ang sabi ninyo po kanina iniisip niyo na habang nag-e-encash, kung ma-hold up iyong isa, may tira pang isa. Bakit hindi po kayo nagdala ng security to help you secure the huge amount of money, and even your life, Ms. Acosta. Of course, we're watching news, 'di ba, cellphone lang namamatay na, small amount of money lang namamatay

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na, how much more this 125 million pesos which, apparently, do not belong to you but belong to the government.

MS. ACOSTA. Kasi ang driver po namin, Ma'am, ay member po na siya... member po siya ng VPSPG.

REP. LUISTRO. The driver is a member of the VPSPG.

MS. ACOSTA. SPG.

REP. LUISTRO. And you believe that being accompanied by that driver is enough for you to secure that money.

MS. ACOSTA. At that time iyan po ang nasa isip ko.

REP. LUISTRO. Iyon po ang iniisip niyo.

MS. ACOSTA. Opo, Ma'am.

REP. LUISTRO. Okay. Kanina po nabanggit niyo, tinutulungan kayo ng mga security guard.

MS. ACOSTA. Opo.

REP. LUISTRO. In what sense? Ano pong tulong ang ibinibigay sa inyo ng mga security guard ng Land Bank?

MS. ACOSTA. Pag ano po, pag ang pera nasa Land Bank na, pagkarga po from Land Bank to sasakyan, sila po ang nagbuhat.

REP. LUISTRO. Ang tulong po nila sa inyo ay para lang sa pagkakarga ng pera...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. LUISTRO. (Continuing)...pagkakarga ng pera...

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. ...from the teller's counter papunta sa...

MS. ACOSTA. Sasakyan.

REP. LUISTRO. ...sasakyan.

MS. ACOSTA. Opo, Ma'am.

REP. LUISTRO. Naalala ninyo po ba kung sino itong mga security guard na ito?

MS. ACOSTA. Hindi ko maalala, Ma'am, pero...

REP. LUISTRO. Do we have representative from Land Bank here?

THE CHAIRPERSON. Yes, they are present. May we invite the representatives of Land Bank to please take a seat in front?

REP. LUISTRO. Mr. Chair, I wish to direct my question to Land Bank. Kasama po ba natin iyong teller na nag-assist kay Ms. Acosta? And I assume that...

THE CHAIRPERSON. ComSec...

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Nakapag-oath na ba sila?

REP. SUAREZ. May iba yata tayong mga resource persons na bago. Maybe we can request that they take their oath, Mr. Chair.

THE ACTING COMMITTEE SECRETARY. Your Honor, yes, in the morning, Your Honor, administered already.

THE CHAIRPERSON. Okay. All of them?

THE ACTING COMMITTEE SECRETARY. Yes, Mr. Chair.

THE CHAIRPERSON. Okay.

REP. LUISTRO. Mr. Chair.

THE CHAIRPERSON. Congressman Jinkie.

REP. LUISTRO. May we direct the question to the Land Bank-Shaw Boulevard Manager?

THE CHAIRPERSON. Sino po ang Land Bank? Could you please state your name?

MS. VIOLETA C. CONSTANTINO (Former Manager, Land Bank of the Philippines, Shaw Boulevard Branch). Your Honor, good afternoon. I'm Violeta Constantino, the former branch head of Shaw Boulevard branch. I already retired from the service last January 2, 2024, Your Honor.

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THE CHAIRPERSON. Thank you.

REP. LUISTRO. Would you confirm, Ms. Land Bank Manager, that you were still there when Ms. Acosta did the encashment of 125 million check on December 20, 2022?

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. And, of course, this is a huge amount of money, I'm inclined to believe in-assist po ninyo si Ms. Acosta. Did you?

MS. CONSTANTINO. Ang ibig ninyo pong sabihin, nang paglabas po ng pera...

REP. LUISTRO. In-assist...

MS. CONSTANTINO. ...outside the bank premises?

REP. LUISTRO. ...number one, preparation of the cash because during the prepa...the previous hearings, it was testified to already that there is a limited amount of money that is being kept in your vault. But this is 125 million, so by in-assist, number one, Ma'am, nag-provide kayo ng sufficient amount of money to be able to support the encashment.

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. And, number two, since this is ample amount, ample bundles that you have to organize in releasing the money, I suppose that there are people who assisted her also at Land Bank-Shaw Boulevard, and even in putting all these luggages, these bags in the cars or vehicles of the OVP? Did you provide all those assistance, yes or no? Yes or no, Ma'am?

MS. CONSTANTINO. No po. May I...

REP. LUISTRO. Can you please enlighten us?

MS. CONSTANTINO. ...explain...

REP. LUISTRO. Kuwentuhan ninyo po kami. Ano pong klaseng assistance ang binigay ninyo sa OVP?

MS. CONSTANTINO. Your Honor, upon release po ng teller sa payee, bale po binibilang po iyon by bundle, and then po nilalagay na po nila sa mga bags nila. So, hindi na po namin nabibilang iyon kung ilan...

REP. LUISTRO. Sino po'ng naglalagay sa bags?

MS. CONSTANTINO. Ang payee po.

REP. LUISTRO. Payee.

MS. CONSTANTINO. Opo, Ma'am.

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REP. LUISTRO. Can you still recall kung ilan po ba iyong nandodoon who were putting all these bundles inside the bag?

MS. CONSTANTINO. Hindi ko na po ma-recall, Your Honor.

REP. LUISTRO. Do you recall Ms. Acosta?

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. Do you recall Mr. Ortonio?

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. Yes. Okay. So, after they place all these bundles inside the four black bags, ano pong sunod na nangyari or, should I say, ano pong assistance ang prinobayd (*provide*) ninyo sa kanila?

MS. CONSTANTINO. Sa pagkakaalala ko po may tumulong po sa kanila na ilabas po iyong cash within the bank premises po.

REP. LUISTRO. And, can you please be specific, sino po bang tumulong sa kanila?

MS. CONSTANTINO. Hindi ko na po rin maalala, Your Honor, eh.

REP. LUISTRO. Hindi ninyo po maalala?

MS. CONSTANTINO. Hindi na po.

REP. LUISTRO. At least, can you tell us, ito po ba'y empleyado ng Land Bank o mga kasama po ba nila sa OVP?

MS. CONSTANTINO. Definitely po hind...iyong minensyon (*mention*) po ni Ms. Gina Acosta hindi po security guards.

REP. LUISTRO. Hindi po security guards.

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. So, you maintain your position, hindi tinulungan ng security guards ng Land Bank sina Ms. Acosta...

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. ...sa paglalagay ng four bags inside their vehicle.

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. I wish to go back to Ms. Acosta. Can you please turn on your microphone?

MS. ACOSTA. Ma'am, iyon po ang maalala ko na tumutulong po iyong dalawang guards ng Land Bank.

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REP. LUISTRO. But we have the manager here and she's saying that the security guards of Land Bank never assisted you in putting all those bags inside your vehicles.

MS. ACOSTA. Iyon po ang maalala ko, Ma'am.

REP. LUISTRO. Let's go to disbursement, Ms. Acosta.

MS. ACOSTA. Yes po.

REP. LUISTRO. I have another question for the bank manager. Ma'am, by policy...because you maintain your position na hindi tumulong ang mga security guards sa pagkarga ng mga bags sa sasakyan nina Ms. Acosta. You said that.

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. May policy po ba, ina-allow po ba talaga ang mga security guard to help the clients carry these bags?

MS. CONSTANTINO. No, Your Honor.

REP. LUISTRO. That is a matter of policy?

MS. CONSTANTINO. Yes, Your Honor.

REP. LUISTRO. And if the security guards will help the clients in carrying these bags contrary to your policy, ano pong mangyayari sa security guards?

MS. CONSTANTINO. Matatanggal po siya sa ano niya, sa...

REP. LUISTRO. And I suppose that they are very much aware of this?

MS. CONSTANTINO. Yes. Yes, Your Honor.

REP. LUISTRO. Would you know, Ma'am, kung sino po itong mga security guards who were duty during that time?

MS. CONSTANTINO. May kasama po kami ngayong isa po.

REP. LUISTRO. May we know the name of the security guards?

MS. CONSTANTINO. Si Head Guard Niño Borra po.

THE CHAIRPERSON. Nandirito po sila ngayon, Ma'am?

MS. CONSTANTINO. Yes, Your Honor.

THE CHAIRPERSON. Would you please identify yourselves, iyong mga security guard po na nandirito?

MR. NIÑO BORRA (Head Security Guard, Land Bank of the Philippines, Shaw Boulevard Branch). Good afternoon, Your Honors. I am Niño Borra, security guard from Shaw Boulevard branch.

REP. LUISTRO. How many security guards do we have here?

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MR. CRISANTO LORENA (Security Guard, Land Bank of the Philippines, Department of Education Branch). Your Honor, I'm Crisanto Lorena from different branch, from DEPED po.

THE CHAIRPERSON. Ah, from different branch. Okay. We have one.

REP. LUISTRO. So, Niño Borra was the security guard at Shaw Boulevard, Land Bank on December 20, 2022 when Ms. Acosta encash the 125 million check. Tama po ba?

MR. BORRA. Yes, Your Honor.

REP. LUISTRO. Kayo po ang duty noong mag-encash si Ms. Acosta?

MR. BORRA. Ako po iyong duty pero hindi ko po maalala si Ms. Acosta kasi normal po na maraming nagwi-withdraw po.

REP. LUUISTRO. May naaalala po ba kayo na noong December 20 may tinulungan kayong kliyente para bitbitin ang bag?

MR. BORRA. Wala po.

REP. LUISTRO. Wala. Are you aware of that policy as shared by the bank manager? Alam ninyo po ba iyong polisiya ng bangko na ang mga security guard ay bawal tumulong sa pagbitbit ng bag?

MR. BORRA. Hundred percent po, Your Honor.

REP. LUISTRO. Hundred percent you are aware.

MR. BORRA. Opo.

REP. LUISTRO. At kung humingi po ba sa inyo ng tulong, kunyari lang, si Ms. Acosta, "Pakitulungan mo nga ako bitbitin natin itong bag, ikarga natin sa sasakyan," tutulungan ninyo po ba?

MR. BORRA. Hindi po.

REP. LUISTRO. Ano pong dahilan bakit hindi?

MR. BORRA. Kasi po iyon iyong utos ng aming manager po.

REP. LUISTRO. Because it is bawal.

MR. BORRA. Opo.

REP. LUISTRO. And if you go against the policy, what will happen to you?

MR. BORRA. Matatanggal po kami sa trabaho na.

REP. LUISTRO. Thank you, Mr. Chair. I wish to go back to Ms. Acosta.

Ms. Acosta, this is 125 million. After encashment, you brought all of this to your office where you said you have three vaults, four-footer three vaults. Tama po ba?

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MS. ACOSTA. Tama po, Ma'am.

REP. LUISTRO. Okay. Magkano po kaya ang laman noong isang four feet na vault?

MS. ACOSTA. Magkakasya po ng 40M.

REP. LUISTRO. Forty M?

MS. ACOSTA. Opo.

REP. LUISTRO. And isang four feet?

MS. ACOSTA. Ang isa, kakasya po ang 40M.

REP. LUISTRO. Kasya?

MS. ACOSTA. Opo.

REP. LUISTRO. Sikip, sakto?

MS. ACOSTA. Sakto-sakto lang po.

REP. LUISTRO. Sakto po. So, kung mayroon po kayong tatlong vault, noong wala pa po ba itong 125 million na ito, wala bang ibang laman iyong tatlong vault ninyo?

MS. ACOSTA. Wala pa po kaming vault noong wala pa kaming confidential funds.

REP. LUISTRO. So, kailan lang po kayo nagkaroon ng confidential fund?

MS. ACOSTA. Ah, year 2022 po.

REP. LUISTRO. Last quarter of 2022.

MS. ACOSTA. Yes po. Yes po.

REP. LUISTRO. And would you confirm kaya lang po kayo nag...bumili, tama po ba iyon?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Kaya lang po kayo bumili...

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. ...ng tatlo...

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. ...na tig-four feet ang laki...

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. ...na vault ay bilang paghahanda...

(MS. FLORISA M. PADA TOOK OVER)

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REP. LUISTRO. (Continuing)...bilang paghahanda dito sa inyong confidential fund?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Sabi ninyo po kanina, ang isang vault ay naglalaman ng 40 million.

MS. ACOSTA. Yes po.

REP. LUISTRO. Tatlo po iyong vault. That will be equivalent to 120 million.

MS. ACOSTA. Yes po.

REP. LUISTRO. Saan ninyo po nilagay iyong labis na five?

MS. ACOSTA. Pinagkasyahan ko po iyong...

REP. LUISTRO. Siniksik ninyo na po.

MS. ACOSTA. Oo, ganoon, sinisiksik.

REP. LUISTRO. Siniksik ninyo na.

And then, since part of your job as a Special Disbursing Officer is the disbursement of this amount, please enlighten us paano ninyo po ginastos, ibinayad, ini-release itong 125 million pesos?

MS. ACOSTA. Ganito po ang nangyari, Ma'am—nang ma-encash na po ang kuwarta, ang pera...ay, ang tseke, nag-inform po ang...ang aking head of agency na i-release ko po sa aming security officer. So, while on the way na po ako papuntang office, I called up the security officer informing him...him na na-encash ko na po ang tseke.

REP. LUISTRO. You informed the security officer?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Can you please mention the name of the security officer? Si Colonel Nolasco din ho ba iyan?

MS. ACOSTA. Hindi po, Ma'am.

REP. LUISTRO. Sino po iyan?

MS. ACOSTA. Si Colonel Lachica po.

REP. LUISTRO. Colonel Lachica.

MS. ACOSTA. Lachica. Opo.

REP. LUISTRO. Can you please enlighten the Committee, sino po ba si Colonel Lachica?

MS. ACOSTA. Si Colonel Lachica po ay siya po ang Ground Commander ng aming VPSPG na na-assign po sa Office of the Vice President.

REP. LUISTRO. Okay.

So, you informed Colonel Lachica that you have encashed already the check.

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MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. How about the physical handing of the money, kailan po nangyari iyan?

MS. ACOSTA. December 20 din po.

REP. LUISTRO. Magkano po ang binigay ninyo kay Colonel Lachica?

MS. ACOSTA. Binigay ko po sa kanya lahat ang 125 million po.

REP. LUISTRO. At saan po dinala ni Colonel Lachica?

MS. ACOSTA. Iyan ang hindi ko na alam, Ma'am.

REP. LUISTRO. Sandali lang po. Anong oras po ba kayo nakabalik sa OVP?

MS. ACOSTA. Mga around 4:00...4:00 p.m.

REP. LUISTRO. 4:00 p.m.

MS. ACOSTA. Opo.

REP. LUISTRO. How long did it take you to be able to organize the 125 million inside the three vaults?

MS. ACOSTA. Actually, Ma'am, hindi po...hindi ko pa po nalagay sa aking vault kasi pagtawag ko kay Colonel Lachica na na-encash na po ang tseke...

REP. LUISTRO. Kanina po, sabi ninyo pinagsiksikan ninyo iyong 125, 'di ba?

MS. ACOSTA. Hindi po, Ma'am.

REP. LUISTRO. You said that.

MS. ACOSTA. Ang...Ang interpretation ko po noon...noon, Ma'am, kung na-encash ang tseke, saan ko ilagay? Pero on that withdrawal, Ma'am, tinawagan ko agad si security officer.

REP. LUISTRO. Okay. So, you are saying now that the money were never placed inside the three vaults. Iyon po ba ang gusto ninyong sabihin?

MS. ACOSTA. Yes, Ma'am. Iyong withdrawal na po iyon, Ma'am.

REP. LUISTRO. Okay. Sabi ninyo po 4:00 p.m. kayo nakabalik ng OVP. Kung hindi ninyo po pinasok dito sa tatlong vaults, saan ninyo po nilagay?

MS. ACOSTA. Doon po sa isang office po na...na nandoon iyong vault pero hindi pa nailagay sa vault. Ang bag nandoon lang sa office.

REP. LUISTRO. Kanino po bang office iyong tinutukoy ninyo? Is that your office?

MS. ACOSTA. Extension office ko po, Ma'am, na ako lang ang may susi.

REP. LUISTRO. Extension office, kayo lang ang may susi. Okay.

You just placed them on the floor. Ganoon ho ba iyon?

MS. ACOSTA. Pinasok ko, Ma'am, sa floor kasi nagsagot man agad si Colonel Lachica na coming siya...

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REP. LUISTRO. Okay.

MS. ACOSTA. ...kasi diyan lang siya sa kanilang opisina.

REP. LUISTRO. Saan po ba ang opisina ni Colonel Lachica?

MS. ACOSTA. Iyong sa Camp Aguinaldo, iyong kulay blue.

REP. LUISTRO. And how close is this to the Office of the Vice President, Ma'am?

MS. ACOSTA. Mga...Siguro, mga 20 minutes o 30 minutes makarating na siya.

REP. LUISTRO. Twenty-minutes drive.

Kung kayo po ay nakarating dito sa OVP at around 4:00 p.m. at pagkatapos ninyo pong dumating, nilagay ninyo sa extension office just on the floor the entire 125 million, hindi ninyo pinasok sa vault, anong oras naman po dumating si Colonel Lachica?

MS. ACOSTA. Mga 4:30 po.

REP. LUISTRO. 4:30.

MS. ACOSTA. Yes po.

REP. LUISTRO. At ano po'ng ginawa ninyo dito sa pera pagdating ni Colonel Lachica?

MS. ACOSTA. Nagpunta po kami sa office na iyon, in-open ko iyong office, tapos ni-release ko sa kanya ang 125 million at pina-receive...pina-receive ko siya sa kanyang...may listahan po kasi siyang binigay po sa akin, Ma'am, considering na kami po ang gumagawa ng physical and financial plan. After mga two weeks, nagbigay na po siya ng advance copy ng kanyang request...request for funding. Ang tawag ko noon listahan ng kanyang object of expenditures po.

REP. LUISTRO. Listahan ng?

MS. ACOSTA. Object of expenditures po.

REP. LUISTRO. Object of expenditures.

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Okay.

So, ito pong listahan ng object of expenditures, ibinigay sa inyo ahead of your encashment?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. And can you please enlighten us, kuwentuhan ninyo po kami ano po'ng nakalista doon sa object of expenditures, please?

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MS. ACOSTA. Object of expenditures—programs, naka…nakaano po, na-identify po iyong mga programs or ano ang gawain niya, tapos with corresponding amount.

REP. LUISTRO. Ano po iyong mga programs, Ms. Acosta?

MS. ACOSTA. Example po, iyong program ng purchase of information, payment of rewards na may kaakibat na po na amount.

REP. LUISTRO. You must be referring to the accomplishment report, Ms. Lachica…Ms. Acosta.

MS. ACOSTA. Yes po. Iyon po ang ibinigay niya sa akin, Ma'am.

REP. LUISTRO. Pag sinabi ninyo po bang object of expenditure, ang tinutukoy ninyo po ba accomplishment report?

MS. ACOSTA. Ang ibig…

REP. LUISTRO. Yes or no, Ma'am. Pag sinabi ninyo po bang object of expenditure, are you referring to the accomplishment report?

MS. ACOSTA. Yes po.

REP. LUISTRO. Yes? Eh, paano po kayo nagkaroon ng accomplishment report, kaka-encash ninyo pa lang?

MS. ACOSTA. Iyon po ang binigay niya sa akin, Ma'am, kasi iyon pong…iyon pong mga identified na object of expenditures, iyan po ang ginagawa niya doon sa con…pag-implement po ng confidential programs and design.

REP. LUISTRO. I understand, Ms. Acosta. But if you will tell us that that object of expenditure pertains to the accomplishment report, I hope you are reminded, ang accomplishment report po ay saka ginagawa kapag fully implemented na lahat ng programs.

Now, this brings us to a bigger question—kaka-encash ninyo lang, may accomplishment report na agad kayo? How can this be possible, Ms. Acosta?

MS. ACOSTA. Hindi pa po iyon final na accomplishment report, Ma'am. Ang…Basis ko lang…

REP. LUISTRO. So…

MS. ACOSTA. …po iyon kung magkano po ang i-release ko sa kanya.

REP. LUISTRO. …ilang klase ho bang accomplishment report tayo mayroon—isang final at isang hindi final? Is that what you want to tell us?

MS. ACOSTA. Iyong binigay po niya sa akin is for me lang po at sa kanya. Para lang sa aming dalawa, Ma'am. Hindi po iyon iyong final na accomplishment report after the implementation of the program under confidential funds po.

REP. LUISTRO. Okay.

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If you are saying that this is not yet final, then walk us through, enlighten us, narrate to us ano ho ba'ng pagkakaiba noong sinasabi ninyong hindi final doon sa final?

MS. ACOSTA. Ang amount po, Ma'am.

REP. LUISTRO. Amount?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Okay. Can you please be specific? Because we have here an accomplishment report for the last quarter of 2022, and since kayo naman po ang gumawa nito and you...you prepared already for this hearing, I suppose, you are aware by heart kung ano'ng laman ng accomplishment report na ito. Ano pong pagkakaiba noong hindi final sa final?

MS. ACOSTA. Iyong amount po, Ma'am. Example, iyong payment of rewards.

REP. LUISTRO. Okay.

MS. ACOSTA. Tapos iyong...

REP. LUISTRO. Ano po iyong hindi final na amount?

MS. ACOSTA. Iyong amount...

REP. LUISTRO. Okay. To guide Miss...Ms. Acosta...

MS. ACOSTA. ...can I have...

REP. LUISTRO. ...Secretariat, can we please flash the accomplishment report for the last quarter of 2022?

At kung may sinasabi po kayong accomplishment report na hindi final, will you be generous enough to share it with us?

MS. ACOSTA. Wala po akong dala ngayon, Ma'am.

REP. LUISTRO. Yes. But for the next hearing, will you be willing to submit it to the Committee?

MS. ACOSTA. Yes po.

REP. LUISTRO. Yes. Okay.

Ms. Acosta, we have here the final, I suppose, because this was provided by the COA, accomplishment report...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. LUISTRO. (Continuing)...accomplishment report for the last quarter of 2022. Ang sabi niyo po sa amount lang kayo nagkakaiba.

MS. ACOSTA. Yes po.

REP. LUISTRO. Can you enlighten us, bakit po nagkakaroon ng disparity sa amount?

MS. ACOSTA. Kasi po the... example po iyong payment of rewards, Ma'am, ang inilagay... Hindi ako makakita.

REP. LUISTRO. Secretariat, can we provide instead a copy?

You were pertaining to payment of reward. Ang nakalagay po diyan is 10 million.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Ano po ba ang nakalagay doon sa hindi final?

MS. ACOSTA. Ang inilagay lang po niya doon is 8 million po.

REP. LUISTRO. Okay. How about the purchase of information?

MS. ACOSTA. So far, ito lang po ang aking maalala, Ma'am. Ma-confirm ko sa iyo na 8,000 lang po ang proposed ex... proposed object of expenditure na ibinigay sa akin ni Sir Lachica.

REP. LUISTRO. Ms. Acosta, with your object of expenditure, would you confirm with me na kung anong items ang nakasulat sa object of expenditure, iyon din po ang nakasulat dito sa accomplishment report, the only difference is with respect to the amount, tama ho ba?

MS. ACOSTA. Tama po.

REP. LUISTRO. Tama. At ang inyo pong sinusunod ay iyong object of expenditure na binibigay sa inyo ni Colonel Lachica, tama din po?

MS. ACOSTA. For releasing po.

REP. LUISTRO. For releasing.

MS. ACOSTA. Opo.

REP. LUISTRO. But nevertheless, who prepare the object of expenditure?

MS. ACOSTA. Si Sir Lachica po, Ma'am.

REP. LUISTRO. Sir Lachica. Kung si Sir Lachica po ang gumagawa ng object of expenditure at iyon po ang sinusundan niyo sa pagre-release ng Confidential Fund, tama po bang sabihin na si Colonel Lachica ang nasusunod sa preparation ng accomplishment report?

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MS. ACOSTA. Yes po. 'Pag ibinigay na niya sa akin ang final na accomplishment... accomplishment report po niya, Ma'am, after po maubos na ang pera at na-implement na niya lahat ng maayos ang... ang activities...

REP. LUISTRO. I will remind you of your answer, Ms. Acosta. Ang sabi niyo po, si Colonel Lachica ang nasusunod sa preparation ng accomplishment report, tama po?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Okay. I wish to direct your attention to the left bottom portion of this accomplishment report, it says, "Prepared by: Special Disbursing Officer Gina F. Acosta."

MS. ACOSTA. Yes po.

REP. LUISTRO. Is this not contradictory to what you said na ang nasusunod ay si Colonel Lachica?

MS. ACOSTA. Gi-base... 'Pag final ko nito, Ma'am, gi-base ko po ito sa ibinigay ni Sir Lachica na final accomplishment report. So, kinokopya ko lang po.

REP. LUISTRO. Ibig sabihin, kayo po ay tagagawa lamang ni Colonel Lachica.

MS. ACOSTA. Hindi naman po.

REP. LUISTRO. So, ano pong ibig sabihin niyo na ang sinusundan niyo ay kung anong gustong ipalagay dito sa accomplishment report, which is based on the object of expenditures provided by Colonel Lachica?

MS. ACOSTA. Ang inilagay po niya sa object of expenditures po, Ma'am, ay in connection na po sa aming gi-prepare na financial and physical plan po, kasi kasama ko po siya paggawa ng financial and physical plan.

REP. LUISTRO. Financial and physical plan. Sino po ba ang gumagawa ng financial and physical plan?

MS. ACOSTA. Ang nagdra-draft po, ang nag-prepare, ako po at si Sir Lachica.

REP. LUISTRO. Okay. Ano po ba ang trabaho ni Colonel Lachica? Malapit na po akong malito. Malapit ko na pong isipin ang disbursing officer ay si Colonel Lachica.

MS. ACOSTA. Hindi po.

REP. LUISTRO. What is the designation of Colonel Lachica, please?

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MS. ACOSTA. Siya po ang aming Security Officer.

REP. LUISTRO. And as Security Officer, ano ho bang trabaho ni Colonel Lachica? Is it her job to prepare the financial plan?

MS. ACOSTA. Hindi po. Siya...

REP. LUISTRO. Is it her job to prepare the accomplishment report?

MS. ACOSTA. In the financial po, siya po ang magbibigay sa akin ng information or guide kung ano po ang... ang magiging confidential activities po in relation sa Confidential Funds po na gagamitin.

REP. LUISTRO. I hope you realize, Ms. Acosta, that you are the Special Disbursing Officer.

MS. ACOSTA. Yes po, Ma'am, alam ko po.

REP. LUISTRO. And part of your job is to prepare the financial plan.

MS. ACOSTA. Yes po.

REP. LUISTRO. As a matter of fact, the financial plan does not bear at all the signature or the name of Colonel Lachica.

MS. ACOSTA. Yes po, pero sa kaniya po ako humihingi ng inputs or information with regards to the implementation of all the projects included under Confidential Funds po.

REP. LUISTRO. If you're asking for the possible program, subject of expenditure, is it correct to say that you are soliciting some information only and not necessarily the one working with you in the preparation of financial plan? Magkaiba po iyon.

MS. ACOSTA. Ang hinihingi po... Ang hinihingi ko po sa kaniya, Ma'am, is ano po... mga inputs po or guidance in preparation for the financial plan, especially related po sa confidential activities po.

REP. LUISTRO. Ms. Acosta, do you understand your job as a Special Disbursing Officer?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. This is a very significant job...

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. ...because it entails so much trust and confidence.

MS. ACOSTA. Yes po.

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REP. LUISTRO. Because you are the one in charge of taking custody of the huge amount of money, tama?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. As a matter of fact, to ensure the fidelity of this money, nire-require pa kayo ng fidelity fund... bond, tama po ba?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Then why... why do you keep on pointing to Colonel Lachica?

MS. ACOSTA. Kasi siya po ang may alam kung i-implement na po iyong mga project under Confidential plan...Funds.

REP. LUISTRO. Who will be responsible in case this money is misappropriated? Who will be responsible in case this money is lost? Who will be responsible in case this money went to the wrong person? Sino po ba ang magiging responsable?

MS. ACOSTA. Ako po.

REP. LUISTRO. Because you are the Special Disbursing Officer and not Colonel Lachica.

MS. ACOSTA. Yes po.

REP. LUISTRO. Let's go back to the question. Hundred twenty-five million po iyon. You were saying ang object of expenditure is similar to the accomplishment report. The only difference is the amount.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Enlighten us, ano ang laman ng object expenditure totaling to 125 million, reason why you fully turned over the entire amount?

MS. ACOSTA. Ang laman po ng ibinigay niya sa akin ng object... object of expenditures ay iyon pong pamaraan kung ano ang ginagawa niya...

REP. LUISTRO. Can we please be specific? We are talking of huge amount of money, Ms. Acosta. This is 125 million. Of course, you realize the significance of this amount. And being the Special Disbursing Officer, hindi mo ito basta ite-turn over kung hindi mo nakikita na well tallied iyong object of expenditure that you are referring to, tama ba?

MS. ACOSTA. Yes, Ma'am, pero may information na po ako na 'pag natanggap ko ang pera, ibigay ko po sa Security Officer namin.

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REP. LUISTRO. Even without the object of expenditure?

MS. ACOSTA. Mayroon po.

REP. LUISTRO. Okay. Let's go back to your object of expenditure. Kasi ako, Ms. Acosta, if I am the custodian of 125 million and I was directed to turn over this to a certain person, I will be very careful to make sure that whatever is in the list tally to the entire amount of 125 million. Now, tell us, ano ang laman ng object of expenditure?

MS. ACOSTA. Ang laman ng… Ang laman po ng object of expenditures ay iyon pong mga expected expenses sa pagpatupad po ng confidential activities.

REP. LUISTRO. I know. Can you please state the item? Kanina po ang sabi niyo purchase of information, payment of reward. Ituloy niyo po iyon. You even said that doon saa payment of reward, hindi nasunod iyong 10 million. So, magkano po ang nasunod?

MS. ACOSTA. Ito na pong accomplishment report na final, Ma'am, iyong gi-attach ko po sa liquidation report.

REP. LUISTRO. Okay. So, are you changing your answer now? Kasi kanina po ang sabi niyo object expenditure is not yet final, accomplishment report is final.

MS. ACOSTA. Yes po. Yes po, iba po sila.

REP. LUISTRO. So, are you referring to two different documents—object expenditure and accomplishment report?

MS. ACOSTA. Yes po, iyan po ang gusto kong ipa…

REP. LUISTRO. Dalawa.

MS. ACOSTA. …gusto kong iparating po.

REP. LUISTRO. And you were saying, "Ito na nga po iyon". Ano ho bang ibig sabihin when you said, "Ito na nga po iyon"? What do you mean…

(MS. JOY S. JARA TOOK OVER)

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REP. LUISTRO. (Continuing)...What do you mean by that?

MS. ACOSTA. Ang binigay po sa akin ni Sir Lachica hindi po...hindi po ganito ang porma, Ma'am. Simple lang po, Ma'am.

REP. LUISTRO. Okay.

MS. ACOSTA. Para basis po ng aking release ng pera...

REP. LUISTRO. Let me go back to your answer...

MS. ACOSTA. ...para sa kanya, Ma'am.

REP. LUISTRO. ...a while ago. Ang sabi ninyo po kanina, Ms. Acosta, parehas ang items, the only difference is the amount.

MS. ACOSTA. Opo, pero hindi po ganito, Ma'am. Simple lang po, Ma'am.

REP. LUISTRO. Yes. Enlighten us. Magkano ang nakalagay sa purchase of information?

MS. ACOSTA. Lesser...less than 14 million po, Ma'am.

REP. LUISTRO. Less than.

MS. ACOSTA. Opo.

REP. LUISTRO. Can't you remember the amount?

MS. ACOSTA. Twelve million po.

REP. LUISTRO. Twelve million.

Payment of reward?

MS. ACOSTA. Ito po iyong 8 million Ma'am.

REP. LUISTRO. Eight million. Rentals?

MS. ACOSTA. Rentals of...rentals of safe houses, ito po ang malaki, Ma'am.

REP. LUISTRO. How much?

MS. ACOSTA. Ito na po ang amount na nabigay niya sa akin doon sa kanyang...

REP. LUISTRO. How much, Ms. Acosta?

MS. ACOSTA. Sixteen million po.

REP. LUISTRO. Sixteen.

MS. ACOSTA. Opo.

REP. LUISTRO. Purchase of supplies?

MS. ACOSTA. Malaki po ito, Ma'am, nagiging 37 po.

REP. LUISTRO. Thirty-seven. Payment of incentives—no—provision of medical and food aid?

MS. ACOSTA. Hindi ko na ito maalala, Ma'am. I'm sorry po, Ma'am. Basta iyong tinali *(tally)*...

REP. LUISTRO. Hindi mo maalala.

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MS. ACOSTA. Basta iyong tinali *(tally)*.

REP. LUISTRO. Payment of incentive?

MS. ACOSTA. Eleven po.

REP. LUISTRO. Eleven. Would you know whether these amounts would total to 125 million exactly?

MS. ACOSTA. Yes, Ma'am, gi-total ko po iyon, Ma'am, 120 million po ang…

REP. LUISTRO. You were able to check if the items and the amounts provided in the object of expenditure totaled to 125 million. You check that?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Okay. Tanong, Ms. Acosta, what gave you the confidence? Ano ang nagbigay sa inyo ng lakas ng loob na ibigay ang buong 125 million kay Colonel Lachicha considering that he is not the accountable officer because it is you who is the accountable officer?

MS. ACOSTA. May approval po kay Ma'am Inday Sara.

REP. LUISTRO. And without the approval of the Vice President, will you give that to Colonel Lachica?

MS. ACOSTA. Hindi po.

REP. LUISTRO. Do you know Colonel Lachica?

MS. ACOSTA. Yes po, kasi siya po ang aming ground commander ng VPSPG.

REP. LUISTRO. How long have you known Colonel Lachica?

MS. ACOSTA. Iyong na-employ po ako after three months; iyong na-employ po ako sa OVP, Ma'am.

REP. LUISTRO. How long have you known since 2022?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Do you trust Colonel Lachica?

MS. ACOSTA. I trust Lachica…I trust Sir Lachica kasi gina-trust po siya ng aking Head of Office na si Ma'am Inday Sara.

REP. LUISTRO. In other words, the only reason why you're giving your trust to Colonel Lachica is because of the instruction of the Vice President?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Tama mo ba?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Without the instruction of the Vice President, you will never give the entire amount of 125 million to Colonel Lachica?

MS. ACOSTA. Yes, Ma'am.

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REP. LUISTRO. And do you realize also, Ms. Acosta, that as disbursing officer, there is a rule under PD 1445, bawal i-transfer ang disbursement sa ibang tao?

MS. ACOSTA. Pero ang boss ko po kasi ay si Ma'am Inday…

REP. LUISTRO. Please answer the question, Ma'am.

MS. ACOSTA. Yes…

REP. LUISTRO. Under PD 1445, unauthorized transfer of disbursement is prohibited. Are you aware of that?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. And what you did is an unauthorized transfer, tama po?

MS. ACOSTA. Yes po, Ma'am, pero may…

REP. LUISTRO. In other words, you are liable for the unauthorized transfer of that money which is due for your disbursement? Tama po?

MS. ACOSTA. Tama po, Ma'am, pero…

REP. LUISTRO. Are you aware also na kung ito pong perang ito ay mapupunta sa mga hindi matitino na government officials at gagamitin for purpose other than its confidential purpose, you can be held liable…

MS. ACOSTA. Yes po.

REP. LUISTRO. …for malversation of public funds by negligence?

MS. ACOSTA. Yes, alam ko po, Ma'am, pero nanaig po ang aking belief na may trust po…may trust po ako kay Lachica dahil po authorized po siya ni Ma'am Sara Duterte.

REP. LUISTRO. And are you aware also that what Colonel Lachica did is, he usurped…

MS. ACOSTA. Ano po?

REP. LUISTRO. …your authority as special disbursing officer? Ang ginawa po ni Colonel Lachica ay pinakialaman na iyong trabaho na dapat ay sa inyo. We called that usurpation of authority.

MS. ACOSTA. Kasi po wala po akong alam kung paano po i-implement ang mga confidential activities po, Ma'am.

REP. LUISTRO. Bakit po…

MS. ACOSTA. Si Sir Lachica lang po ang may alam.

REP. LUISTRO. Sandali po. Bakit po wala kayong alam? You are the special disbursing officer. You prepare the financial plan. You are a signatory in the disbursement. You prepare the liquidation. You certify. You prepare the accomplishment report. Bakit wala po kayong alam?

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MS. ACOSTA. Wala po akong alam sa pag-implement po ng confidential activities po dahil po hindi ko po iyan in line sa aking pinag-aralan, Ma'am.

REP. LUISTRO. But as the special disbursing officer, of course, you realized, you have the function of disbursing the fund?

MS. ACOSTA. Yes po, pero may utos po sa akin na ibigay po kay Colonel Lachica kasi siya po ang expert; siya po ang may kaalaman kung paano po i-achieve ang mga confidential activities na safely and hindi po magulo.

REP. LUISTRO. Would you know, Ms. Acosta, kung saan po dinala ni Colonel Lachica iyong 125 million?

MS. ACOSTA. Hindi ko na po alam, Ma'am, kasi sa kanya na po iyon discretion kung...

REP. LUISTRO. Hindi po niya discretion iyon, Ma'am.

MS. ACOSTA. Sa kanya na po iyong...

REP. LUISTRO. Please...

MS. ACOSTA. ...trabaho.

REP. LUISTRO. ...understand. Kayo po ang special disbursing officer. You're supposed to be the person doing the payment of this amount to various payees. Hindi po ito discretion ni Colonel Lachica, Ma'am. Do you understand?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Ano nga po ulit trabaho ni Colonel Lachica?

MS. ACOSTA. Siya po ang...

REP. LUISTRO. Head.

MS. ACOSTA. ...Head ng aming VPSPG at siya po ang inatasan as security officer po ng Office of the Vice President.

REP. LUISTRO. And, of course, you will agree with me, iba po ang trabaho ng security officer sa trabaho ng special disbursing officer, tama po ba? As a matter of fact...

MS. ACOSTA. Yes, iba po.

REP. LUISTRO. ...kaya po kayo'y bonded. Kaya po kayo nire-require ng fidelity bond, is to take care of these public funds. Si Colonel Lachica po ba covered po ba siya ng fidelity bond?

MS. ACOSTA. Hindi po, Ma'am.

REP. LUISTRO. I don't think so, because it's not part of his job to disburse public funds.

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MS. ACOSTA. Pero siya po ang may alam, Ma'am, lalo na pag-implement sa mga confidential activities po, Ma'am, just like surveillance and monitoring po kung okay po ba diyan itayo, example, iyong satellite office.

REP. LUISTRO. Even when he is aware of the implementation of these surveillance activities, you as special disbursing officer, should be the one, actually, paying all the recipients. Do you understand, Ms. Acosta?

MS. ACOSTA. I understand po, Ma'am.

REP. LUISTRO. Then, why did you give all the money to Colonel Lachica?

MS. ACOSTA. Because po may utos po si Ma'am Inday Sara na sa kanya ko po i-release kasi siya po ang nakakaalam kung paano po i-implement ang mga programs and pro...programs and activities in line po sa confidential fund.

REP. LUISTRO. Okay.

MS. ACOSTA. Siya po ang magsu-survey...surveillance and monitoring po. Sa kanya po iyon; wala po akong alam.

REP. LUISTRO. Ms. Acosta, I hope you realize that it is incumbent upon you, as the special disbursing officer, to know all the recipients of the entire 125 million and it is totally wrong to say na wala kayong alam because in the first place, trabaho ninyo po to disburse...

(MS. RUTH T. PALLES TOOK OVER)

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REP. LUISTRO. (Continuing)...to disburse these funds to the various number of recipients.

Let us proceed to liquidation report. Secretariat, kindly flash the liquidation report.

What is the purpose, Ms. Acosta, of the liquidation report?

MS. ACOSTA. To liquidate the funds for...to liquidate the funds...to liquidate the funds granted on confidential funds po. Ili-liquidate po.

REP. LUISTRO. Ili-liquidate and by liquidate we need to gather proof that indeed the entire amount was utilized for the intended purpose. Tama po ba?

MS. ACOSTA. Tama po.

REP. LUISTRO. What is your participation in this liquidation report?

MS. ACOSTA. Iyong binigay na po sa akin ni Sir Lachica ang acknowledgment...

REP. LUISTRO. Ms. Acosta, please be directed to the left bottom part of the liquidation report.

MS. ACOSTA. Correctness of the above data po, Ma'am.

REP. LUISTRO. Do you understand what that means?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Ano pong ibig sabihin nuon?

MS. ACOSTA. Na ang pondo po ay nagamit nang maayos sa pamamagitan po ng pagkuha ng mga acknowledgment receipt po na galing po kay Sir Lachica.

REP. LUISTRO. You mentioned about acknowledgment receipts, pag-usapan po natin iyan. As special disbursing officer, part of your job is to certify the correctness of the above data and that includes acknowledgment receipts that you mentioned, do you agree?

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Okay. Based on examination, Ms. Acosta, mayroong pitong daan na acknowledgment receipts, may signature pero walang printed name. Iin other words, we cannot hold anyone accountable for the given amounts. What can you say about that? Pitong daang mahigit na acknowledgment receipts, may signature pero walang printed name, so you cannot tell who the recipient really is. Do you think given that situation you certified the correctness of the data?

MS. ACOSTA. Kasi nung...

REP. LUISTRO. Yes or no?

MS. ACOSTA. Yes, Ma'am.

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REP. LUISTRO. And you do believe that that is correct?

MS. ACOSTA. Yes...

REP. LUISTRO. Hindi mo alam kung sino ang recipient?

MS. ACOSTA. Kasi iyan po ang binigay sa akin ni Sir, Lachica, Ma'am.

REP. LUISTRO. Again, please be directed by the certification at the bottom right of this document. Gina Acosta, certifying to the correctness of the above data, and that data includes the acknowledgment receipts. How did you certify correct the 700 plus acknowledgment receipts which bear unreadable signatures and does not bear the printed name of the recipients. Tama po ba iyon?

MS. ACOSTA. Sa paningin ko, Ma'am, ang maka-answer po nang maayos ay si Sir Lachica po, Ma'am.

REP. LUISTRO. Sa paningin ninyo po bilang special disbursing officer, tama po ba na ang acknowledgment receipt ay wala kang pagkitaan ng pangalan? Tama po ba iyon?

MS. ACOSTA. Kasi po ang alam ko po...

REP. LUISTRO. Please answer the question, Ms. Acosta. I believe that the question is answerable by a yes or no only. Kayo po ang special disbursing officer and you said from this liquidation report, I'm certifying to the correctness of the above data, 700 plus acknowledgment receipts with signature, unreadable and without printed name. Tama po ba na i-certify na tama iyong pitong daang mahigit na acknowledgment receipts na iyon? Tama po o mali?

MS. ACOSTA. Tama po, Ma'am.

REP. LUISTRO. Tama?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Kahit wala pong pangalan?

MS. ACOSTA. Kasi po ang makasagot po niyan nang maayos, Ma'am, puwede po si Sir Lachica.

REP. LUISTRO. Okay. Let's do this by way of hypothetical question. Kayo po ang accountable disbursing officer. Ibig sabihin, kayo po ang may pananagutan sakaling mawala, may mangyaring hindi tama dito po sa 125 million. I hope you anchor your answer on the fact na kayo po ang mananagot doon sa 125 million as special disbursing officer. Tama po ba nag-release kayong pera tapos iyong acknowledgment receipt walang pangalan ng recipient. Tama po o mali? Kung kayo po ang mismong magre-

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release nung pera, kayo po ba'y papayag na walang printed name ang acknowledgment receipt?

MS. ACOSTA. Puwede po, Ma'am, itanong po kay Sir Lachica po kung ano po ang nangyari?

REP. LUISTRO. No. The question, Ms. Acosta, is hypothetical, 'no. Kung sakali lang pong kayo mismo ang nagbigay doon sa pitong daan na tao iyon, kayo po ang accountable disbursing officer, papayag po ba kayo na iyong pitong daan na iyon tatanggap lang nang tatanggap ng pera, tapos ni hindi ninyo alam kung anong mga pangalan nila? Iyon po ba tama o mali? You said already that it was Col. Lachica who did the disbursement. Naintindihan ko na po iyon.

MS. ACOSTA. Opo, Ma'am.

REP. LUISTRO. Pero ang sitwasyon po natin ngayon, let us assume na kayo ang magre-release ng pera. Papayag po ba kayong mag-release ng pera na hindi sinusulat iyong printed name ng pagbibigyan ninyo ng pera?

MS. ACOSTA. Siguro po nangyari po iyon dahil po sa voluminous na transaction, Ma'am.

REP. LUISTRO. Ms. Acosta, the question is answerable only by tama o mali. We are talking about 700 plus acknowledgment receipts, may signature, walang printed name, walang pagkitaan ng pangalan ng recipients. Kung kayo po ang magre-release nito, papayag po ba kayo na walang printed name ang tumanggap?

MS. ACOSTA. Hindi po. Pero depende po sa sitwasyon, Ma'am.

REP. LUISTRO. You have given your answer already.

Ms. Acosta, let's proceed to the next category of acknowledgment receipts. Mayroon naman pong 300 plus, may signature, may printed name pero hindi naman mabasa iyong printed name. In other words, wala din pong pagkitaan kung sino ang recipient. Again, on the assumption na kayo po ang magre-release ng perang ito sa recipient, papayag po ba kayong i-release itong perang ito na hindi ninyo nakitang nakasulat ang pangalan ng recipient?

MS. ACOSTA. Nag-trust po ako kay Sir Lachica, Ma'am.

REP. LUISTRO. Ms. Acosta, let us answer the question po. I understand na ang sabi ninyo po na si Col. Lachica ang nag-release.

MS. ACOSTA. Yes po.

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REP. LUISTRO. On the assumption only, kunyari lang po, kayo ang magre-release, andiyan iyong recipient, tatlong daang mahigit po ito. Papayag po ba kayo na hindi ninyo mabasa ang mga tunay na pangalan ng pinagbibigyan ninyo ng pera?

MS. ACOSTA. Kung ako po ang nagbigay, hindi po ako papayag.

REP. LUISTRO. Hindi kayo papayag.

Now, let us go to the acknowledgment receipt with the recipient whose name is Mary Grace Piattos. Do we still have that slide, Secretariat? Can we please share it?

I wished to believe na nakita ninyo po ito during the previous hearings. Again, hypothetical question ulit, kung kayo po ba ang magre-release ng pera to a name Mary Grace Piattos, kayo po ba ay papayag?

MS. ACOSTA. Papayag po ako, Ma'am. Mayroon naman pong Piattos na apelyido.

REP. LUISTRO. Do you know Mary Grace Piattos? Do you know Mary Grace Piattos?

MS. ACOSTA. Wala po. Hindi ko po siya...hindi ko po siya kilala, Ma'am.

REP. LUISTRO. But you said na papayag kayo kasi may apelyidong Piattos. Saan ho ba kayo nakakita ng apelyidong Piattos?

MS. ACOSTA. Mayroon po sa amin sa Davao, Ma'am, sa...

REP. LUISTRO. Mayroon po na apelyidong Piattos. I will be interested to know, Ms. Acosta, kung sino po iyong mga taga-Davao na may apelyidong Piattos. But you honestly believe na mayroon pong Mary Grace Piattos?

MS. ACOSTA. Yes, Ma'am. Sa Davao po mayroon.

REP. LUISTRO. Mayroon?

MS. ACOSTA. Opo.

REP. LUISTRO. Bakit po kaya hindi siya lumulutang? I am reminded by the...by the pledge...

(MS. RHUPA D. RAMIL TOOK OVER)

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REP. LUISTRO. (Continuing)...by the pledge of, I believe, the Young Guns who contributed money to raise 1 million, asking Mary Grace Piattos to come out to the open. Bakit po kaya walang lumulutang if, indeed, mayroong Mary Grace Piattos sa Davao?

MS. ACOSTA. Kasi po nagbi-base lang po ako sa ibinigay po ni Sir Lachica na mga ibinalik niya sa akin.

REP. LUISTRO. Ms. Acosta, kindly answer the question po. Ang sabi niyo po kanina mayroong Mary Grace Piattos.

MS. ACOSTA. Piattos po ang sinabi ko, Ma'am, na apelyido.

REP. LUISTRO. Nonetheless, kayo po ba ay naniniwalang mayroong Mary Grace Piattos? In the first place, kayo po dapat kaharap nito, eh, dahil kayo ang Special Disbursing Officer. But you kept on claiming that you handed the entire amount to Colonel Lachica kaya hindi niyo alam kung ano ang nangyari doon sa pera. O, ito na po ang consequence. Ipinagtiwala niyo ang disbursement sa hindi naman accountable officer. How will you answer now to that acknowledgment receipt? Paano niyo po ngayon ipapaliwanag iyan? Kayo po ang accountable officer, and you are bound to explain who is Mary Grace Piattos.

MS. ACOSTA. Hindi po talaga ako maka-explain niyan, Ma'am, kasi hindi po ako ang nagpapapirma po. Ang nag-execute po ng acknowledgment na iyon, Ma'am, si Sir Lachica po.

REP. LUISTRO. You said ang nag-execute po ng acknowledgment ay si Sir Lachica. Sino po ang pumirma diyan?

MS. ACOSTA. Siya lang po ang makakaalam, Ma'am.

REP. LUISTRO. Si Colonel Lachica lang ang nakakaalam?

MS. ACOSTA. Yes po. Kasi siya po ang nag-execute ng acknowledgment receipt po.

REP. LUISTRO. Ms. Acosta, ako po'y gusto ko pong maawa sa inyo kasi, while you entrusted the entire amount of 125 million to Colonel Lachica who is not an accountable officer at all, I hope you realize kayo po ang mananagot sa buong 125 million. Are you aware of that?

MS. ACOSTA. Yes, Ma'am. Aware po ako.

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REP. LUISTRO. Balikan ko po si Mary Grace Piattos. Anchoring my question on your statement na may mga Piattos sa Davao City. In spite of the pledge of 1 million by Young Guns, kung talaga pong may Mary Grace Piattos, I believe two weeks na ang nakaraan, bakit wala po kayang nagpapakilala na Mary Grace Piattos?

MS. ACOSTA. Piattos lang po ang sinabi ko, Ma'am.

REP. LUISTRO. Ano po iyon?

MS. ACOSTA. Piattos lang po na apelyido ang sinabi ko.

REP. LUISTRO. Yes. But you said that there are Piattoses in Davao City, may mga Piattos sa Davao. Kung hindi niyo man po talaga personally kilala that certain Mary Grace, bakit po kaya walang lumulutang kung talagang may Mary Grace Piattos, eh, magkakaroon ho siya ng isang milyon na walang kahirap-hirap? Would you agree with me if I would say the reason kung bakit walang lumulutang ay dahil wala naman talagang Mary Grace Piattos, tama po ba?

MS. ACOSTA. Hindi po ako maka-say ng yes or no, Ma'am, kasi si Sir Lachica po ang nag-execute po, ang nagpapapirma po ng acknowledgment receipt.

REP. LUISTRO. No. Ms. Acosta, I'm not asking you about the personality of Mary Grace Piattos. This is a hypothetical question again. Having stated na may mga Piattos sa Davao, and considering na nag-pledge na ang Young Guns ng 1 million, tatanggapin ni Mary Grace Piattos, the only condition is magpakilala siya, ako si Mary Grace Piattos, tama po bang sabihin na kaya walang lumulutang na Mary Grace Piattos ay dahil ang totoo, wala naman talagang Mary Grace Piattos. Tama po o mali?

MS. ACOSTA. Iyon po ang ano, answer ko, Ma'am.

REP. LUISTRO. Tama po o mali, Ms. Acosta?

MS. ACOSTA. Siguro, tama po iyon, Ma'am.

REP. LUISTRO. Okay. Now, let's proceed to that acknowledgment receipt with the name Kokoy Villamin. Sino po si Kokoy Villamin?

MS. ACOSTA. Ganoon pa rin, Ma'am. Hindi ko po siya kilala.

REP. LUISTRO. Secretariat, please flash again the AR.

MS. DUTERTE. Mr. Chair.

THE CHAIRPERSON. Madam Vice President.

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MS. DUTERTE. Thank you, Sir.

Ms. Acosta has been crying for the... since these hearings started because of her fear and a lot of other things. Can we just give her some air?

THE CHAIRPERSON. One minute suspension is declared by the Chair.

Suspension: 5:47 p.m.

Resumption: 5:50 p.m.

THE CHAIRPERSON. Hearing resumes.

Congressman Marcoleta, you are recognized.

REP. MARCOLETA. Thank you, Mr. Chair.

I know that our Rules of Procedure in Aid of Legislation includes suppletorily the use of the Rules of Court. Under the Rules of Court, Your Honor, which are the rules being used in the courts of law, hypothetical questions are not allowed to be asked. Are we supposed to insist on asking hypothetical questions?

THE CHAIRPERSON. Could you please be specific, Congressman Marcoleta?

REP. MARCOLETA. It's very specific, Mr. Chair. The witness is being asked hypothetical questions. These are disallowed in the courts of law. If you are using the Rules of Court suppletorily, what is the purpose of asking hypothetical questions?

THE CHAIRPERSON. Under our internal rules, the Rules of Procedure Governing the Proceedings before the Committee on Good Government, under Section 16, it provides that rules of procedure and evidence, in any meeting of the Committee, the rules of evidence prevailing in courts of law or equity shall not be controlling, and the Committee shall use every and all reasonable means to ascertain the facts in each case speedily and objectively without regard to technicality of law or procedure.

REP. MARCOLETA. Yes, Mr. Chair. We are talking of facts...

THE CHAIRPERSON. Only in the intent...

REP. MARCOLETA. ...we are not talking about hypothetical situations here. We are not supposed to be getting facts out of speculations. We cannot

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speculate on the questions that should be asked and answered. This will not benefit the Committee, Mr. Chair.

Thank you very much.

THE CHAIRPERSON. Thank you. Noted, Congressman Marcoleta.

MS. DUTERTE. Mr. Chair.

REP. RAOUL DANNIEL A. MANUEL. Mr. Chair.

THE CHAIRPERSON. Please continue with the...

REP. MANUEL. Mr. Chair.

THE CHAIRPERSON. Congressman Manuel.

REP. MANUEL. Dagdag lang po ng response, Mr. Chair. Since always po ini-invoke na kung ano ang dapat na conduct ng Committee, ano iyong bounds ng mga discussions natin, Mr. Chair, again, ang ginagawa po natin ay in aid of legislation, at hindi po tayo makakagawa ng mga batas, hindi natin maaaral iyong puwedeng mga maging mga batas kung hindi natin pag-uusapan iyong mga posibleng scenarios kahit hindi pa nangyayari, Mr. Chair. We can't have good laws kung hindi natin pag-uusapan paano iyan puwedeng ipatupad, paano iyon puwedeng maabuso, which means, iyong nagiging line of questioning ng ating colleagues are essential to the conduct of our proceedings sa Komite.

Iyon lang, Mr. Chair. Thank you.

REP. MARCOLETA. Mr. Chair, this is the problem of non-lawyers. They insist, they insist on something that should not be done.

THE CHAIRPERSON. Noted, Congressman Marcoleta.

REP. MARCOLETA. Thank you.

MS. DUTERTE. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Yes, Madam Vice President.

MS. DUTERTE. Can I answer as head of agency of the Office of the Vice President?

THE CHAIRPERSON. Ano po, Madam?

MS. DUTERTE. Can I answer as head of agency of the Office of the Vice President as well?

THE CHAIRPERSON. With respect to the?

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MS. DUTERTE. To the comment, manifestation of Congressman Marcoleta, Sir.

THE CHAIRPERSON. No. You are not allowed.

Please... Please continue, Congresswoman Luistro.

REP. LUISTRO. Ms. Acosta, ano po ba ang nararamdaman niyo? Of course, I'm concerned about you. Ano po iyon?

MS. ACOSTA. Nanginginig po, Ma'am.

REP. LUISTRO. Bakit po kayo nanginginig? Bukod po sa nanginginig, ano po ang nararamdaman niyo? Hindi naman po ako sumisigaw.

MS. ACOSTA. Kasi po, wala po talaga akong alam kung sino po iyon si Kokoy Villamin, si Mary Grace Piattos po. Kasi po, si Sir Lachica po ang nasa ground po. Siya po ang nagpipipirma. Nag-base na lang po ako sa sinau.... sa ibinalik niya sa akin na acknowledgment receipt po, Ma'am.

REP. LUISTRO. Pero, Ma'am, I hope you acknowledge na iyon pong sinasabi niyong ginawa ni Colonel Lachica, iyon po'y trabaho...

(MS. GIALINA V. CEJES TOOK OVER)

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REP. LUISTRO. (Continuing)...iyan po'y trabaho ninyo as Special Disbursing Officer.

MS. ACOSTA. Yes, Ma'am, pero may utos po ang aking boss, Ma'am, na i-release ko po kay Sir Lachica, Ma'am.

REP. LUISTRO. *I heard you, Ma'am.*

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. We will just proceed with the question. Tell me 'pag hindi ninyo na po kaya I will stop, ano po? You just answer from what you believe is true to yourself.

MS. ACOSTA. Yes, Ma'am.

REP. LUISTRO. Punta po tayo kay Kokoy Villamin, do you know this person?

MS. ACOSTA. Wala po talaga akong alam, Ma'am.

REP. LUISTRO. Wala po kayong alam.

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Surname Villamin, may kilala po ba kayo sa Davao na Villamin?

MS. ACOSTA. Wala po akong alam, Ma'am. Wala po akong kilala, Ma'am.

REP. LUISTRO. Okay. So, you cannot answer with respect to the identity of this Kokoy Villamin. Mr. Chair, do we have the NBI here as well as the PSA? They are not yet here.

THE CHAIRPERSON. Not yet here.

REP. LUISTRO. But I believe that...

THE CHAIRPERSON. We have submitted the acknowledgement receipt, in process daw po.

REP. LUISTRO. Okay. Ms. Acosta, do you confirm that the 125 million for the last quarter of 2022 was utilized from December 21 to December 31, as stated in the records?

MS. ACOSTA. Yes, Ma'am, based po sa ibinigay sa akin ni Sir Lachica na accomplishment report at saka acknowledgment receipt po.

REP. LUISTRO. Ms. Acosta, this is 125 million spent in...I believe 10 days nga po ito, eh, hindi 11 days kasi under the law, when we count, we exclude the first, we include the last. So, if we count from December 21 to December 31, this will be equivalent to 10 days. Tanggalin po natin iyong sinasabi ni Chairman Acop na holiday, three days, in other words, pitong araw na lang po. Can you please enlighten us paano

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po kaya naubos, naibayad, na-disburse ni Colonel Lachica iyong buong amount ng 125 million in seven days?

MS. ACOSTA. Ma'am, hindi po ako makasagot niyan, Ma'am, kasi hindi po ako ang naggastos in reality po, Ma'am. Si Sir Lachica po ang may alam, Ma'am.

REP. LUISTRO. Ma'am, you've been the...you were the Special Disbursing Officer of Davao from 2019 to 2022, and then you became the disbursing officer of the OVP, so kagaya po nang sabi ninyo kanina, you have mastered already the process of utilization of confidential fund. Isang tanong lang po, posible po ba ito na ang 125 million ay magastos sa nalolooban lamang ng pitong weekdays?

MS. ACOSTA. Hindi ko po alam, Ma'am, kasi hindi po ako ang nag-personal gastos po sa pera, Ma'am.

REP. LUISTRO. Ms. Acosta, the question is based on your experience as SDO. Sabi ninyo po kanina, three years kayong naging SDO ng confidential fund in Davao City, you even said you have mastered already the process of utilization. Ayon po ba sa karanasan ninyong iyon, iyon po bang 125 million, kaya po bang gastusin iyon sa loob ng pitong weekdays, araw na may pasok lamang? Base po sa inyong karanasan, kaya po o hindi?

MS. ACOSTA. Hindi ko iyan masagot, Ma'am, kasi hindi po ako ang nag-disburse sa 125 million, Ma'am. Si Sir Lachica po, Ma'am.

REP. LUISTRO. Ms. Acosta, our question is based on your experience.

MS. ACOSTA. Hindi po ganoon ang confidential fund sa Davao, Ma'am. Hindi po ganoon kalaki, Ma'am.

REP. LUISTRO. In other words, ayon po sa inyong karanasan bilang confidential fund ng Davao, 2019 to 2022, hindi kaya gastusin ang 125 million in seven days, tama po ba?

MS. ACOSTA. Hindi po ako makasabing tama, Ma'am, kasi hindi po ganyan ang confidential fund sa Davao, Ma'am.

REP. LUISTRO. Ma'am, the question is based on your experience, kung ito po ba'y dadalhin natin doon sa sitwasyon ninyo bilang SDO ng Davao, kaya po kaya iyon gagastusin?

MS. ACOSTA. Hindi ko po...hindi ko masagot, Ma'am.

REP. LUISTRO. Okay.

Now, let us proceed to the certification, the Secretariat please flash. May we know, Ms. Acosta, who prepared the certification? Secretariat, please flash the document. May we know who prepared this certification, Ms. Acosta?

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MS. ACOSTA. Ako po, Ma'am.

REP. LUISTRO. Kayo po. You confirm the authorship of the signature above the name Gina F. Acosta? Sa inyo pong pirma ito?

MS. ACOSTA. Yes po, Ma'am.

REP. LUISTRO. Yes. And the document says, on the first paragraph, "We certify that the amount of 125 million was incurred in connection with safe implementation of OVP initiatives and confidence building."

Ms. Acosta, ano po ba iyong confidence building?

MS. ACOSTA. Iyan po iyong…isa po iyon sa programa ng OVP na kung paano po ma-implement ang isang programa na maayos po at safety po.

REP. LUISTRO. Iyon po ba ang ibig sabihin ng confidence building?

MS. ACOSTA. Iyan po ang pagkaalam ko, Ma'am.

REP. LUISTRO. Can you explain further? Kapag sinabi po bang confidence building, ano po ba'ng ibig sabihin noon? Is it synonymous to confidential activities? Parehas po ba iyon?

MS. ACOSTA. Puwede pong mag-ask ako sa aking lawyer, Ma'am?

REP. LUISTRO. Yes po.

Secretariat, can we provide a copy of the certification to Ms. Acosta?

THE CHAIRPERSON. One minute suspension is declared by the Chair.

Suspension: 6:02 p.m.

Resumption: 6:12 p.m.

THE CHAIRPERSON. Committee hearing resumes.

We excuse Gina Acosta para po ma-check po siya ng mas maigi sa clinic.

REP. LUISTRO. I understand, Mr. Chair.

THE CHAIRPERSON. Yes.

REP. LUISTRO. Can I have few questions only for Mr. Ortonio?

THE CHAIRPERSON. Yes, please continue.

REP. LUISTRO. Mr. Ortonio, would you confirm kung may vault nga sa OVP, specifically in the extension office of Ms. Acosta?

MR. LEMUEL G. ORTONIO (Assistant Chief of Staff/former Chairperson, Bids and Awards Committee, Department of Education). Okay. Good afternoon, everyone.

Mr. Chair, maybe before…

THE CHAIRPERSON. Yes, you are recognized, Mr. Ortonio.

MR. ORTONIO. Thank you, Sir.

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Maybe before I answer the question of Honorable Luistro, would it be possible if I can provide an explanation first on my absence last week.

REP. PADUANO. Mr. Chairman, it's all about...

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. *Supposedly, it's all about admin matters so we'll discuss his* letter, especially Mr. Tenorio is under contempt, 'no. So...

REP. LUISTRO. Ortonio.

REP. PADUANO. Ortonio, I mean. He's under contempt.

THE CHAIRPERSON. Yes. Just answer the query of Congresswoman Luistro.

REP. PADUANO. Thank you, Mr. Chairman.

MR. ORTONIO. I cannot confirm, Honorable Luistro, if there are actually three vaults because it's only Ms. Gina Acosta who has knowledge on the vaults that are inside the room that she mentioned earlier.

REP. LUISTRO. Are you saying that there are vaults but you are not certain as to the number of them?

MR. ORTONIO. Yes. That's correct, Ma'am.

REP. LUISTRO. So, you confirm that there are vaults, you are just not certain whether there are three or otherwise.

MR. ORTONIO. That's correct, Your Honor.

REP. LUISTRO. Would you know who, aside from Ms. Acosta, is aware about the vaults in her extension office?

MR. ORTONIO. As far as I know, Your Honor, it's only Ms. Acosta.

REP. LUISTRO. It's only Ms. Acosta. But how then did you get an idea...

(MS. REGILYN B. ENCIO TOOK OVER)

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REP. LUISTRO. (Continuing)...get an idea that there are vaults, only that you are not certain about the number?

MR. ORTONIO. I knew about the vaults, Your Honor, because of the fact that she is the Special Disbursing Officer and that there are funds that were going to be placed in the office...

REP. LUISTRO. Is it...

MR. ORTONIO. ...that's as far as I know.

REP. LUISTRO. Is it automatic that if the person is the SDO, she has to be in her custody vaults where she can secure the money?

MR. ORTONIO. Yes, that's my understanding po.

REP. LUISTRO. So, are you inclined to believe na ang mga SDO ay normally, they are keeping vaults inside their office?

MR. ORTONIO. It can be keeping vaults, Your Honor, or cash, parang cash register, or a safe place where they can place their...the money that are entrusted to them.

REP. LUISTRO. Mr. Ortonio, since you were named by Ms. Acosta as the one who was with her during the time that she encashed the check, can you please walk us through, paano po ba kayo nag-encash ng tseke? Let's start with paano ho nakapag-prepare ang Land Bank Shaw Boulevard, that amount of 125 million, which I believe is beyond the normal cash that they are maintaining in their vault?

MR. ORTONIO. Based on the information that I know of, first is that the Cash Division informs Ms. Acosta that the check is already available and that it's ready for encashment...

REP. LUISTRO. Who heads the Cash Division?

MR. ORTONIO. At that time, it's Ms. Carmelita Warren po.

REP. LUISTRO. Carmelita Warren, okay. Please proceed.

MR. ORTONIO. Yes. After the information to Ms. Gina Acosta that there's already a check and ready for encashment, at that time, noong first time that she withdrew the money, she messaged me...she approached me, sorry, she approached me and then asked if I can accompany her. And then...

REP. LUISTRO. How many times have you accompanied Ms. Acosta?

MR. ORTONIO. As far as I can remember, in all of the...in all of the withdrawals that she have...the times that she withdrew money from the bank.

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REP. LUISTRO. So, since she is an SDO for confidential fund, you are referring to the withdrawals of confidential fund?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. LUISTRO. Would it be correct to say that for the OVP, apat na beses mo siya sinamahan, and that pertains to the 125 million of the last quarter of 2022, and then 125 million each for the three quarters of 2023?

MR. ORTONIO. Yes, that's correct, Your Honor, as far as I can remember.

REP. LUISTRO. And would you confirm kung itong apat na tsekeng ito, lahat sa Land Bank Shaw Boulevard na-encash?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. LUISTRO. Okay. Let's go back to December 20, 2022. Anong oras ninyo po nakuha iyong tseke sa Cash Division?

MR. ORTONIO. I do not know what time Ms. Gina was able to get the check from the Cash Division, it's Ms. Gina po who got the check from the Cash Division.

REP. LUISTRO. What time did you leave for Land Bank Shaw Boulevard?

MR. ORTONIO. If I can remember it right, during that occasion, we left the office in time that when we arrived at Land Bank, parang towards the end of the banking hours already. So, maybe around...

REP. LUISTRO. So, that is...

MR. ORTONIO. ...three o'clock.

REP. LUISTRO. ...three o'clock.

MR. ORTONIO. Around three o'clock.

REP. LUISTRO. Three o'clock. And how long did it take before the bank teller was able to encash the 125 million?

MR. ORTONIO. Based on my recollection, upon arrival at the bank, the money is already available, but it took a little bit of time just to count the money.

REP. LUISTRO. So, can you please enlighten us, from 3:00 p.m., anong oras po kayo natapos?

MR. ORTONIO. More or less siguro, Your Honor, maybe after 30 minutes.

REP. LUISTRO. So, 3:30. At 3:30, tama po bang sabihin, iyong pera nasa loob na ng apat na malalaking bag?

MR. ORTONIO. Yes, by that time.

REP. LUISTRO. 3:30?

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MR. ORTONIO. Yes, per my recollection, but I cannot be exact on the time.

REP. LUISTRO. Mr. Ortonio, I believe that...may we know where...where the OVP's office is?

MR. ORTONIO. It's in Mandaluyong po.

REP. LUISTRO. Mandaluyong. How close is this to Shaw Boulevard?

MR. ORTONIO. Land Bank Shaw Boulevard to the office, around 20 minutes probably.

REP. LUISTRO. So, 20 minutes?

MR. ORTONIO. Yes.

REP. LUISTRO. So, tama iyong sinasabi ni Ms. Acosta that around 4 p.m., they've arrived already at the office?

MR. ORTONIO. Office, that's correct.

REP. LUISTRO. And she placed all the money inside her extension office.

Balikan po natin iyong sa bangko. There are contradictory statements po, ang sabi po ni Ms. Acosta, tinulungan po sila ng mga security guard magkarga noong apat na bags sa inyong dalawang sasakyan, which earlier, the bank manager and the security guard during that time denied. Ano pong totoo, Mr. Ortonio?

MR. ORTONIO. Based on my recollection, Your Honor, what I can remember is that Land Bank Shaw was able to provide a...parang...iyong parang trolley, and then, they helped us put it in the...parang trolley and then wheeled it out of the bank. That's what I can remember.

REP. LUISTRO. So, there are three versions now. Ms. Acosta's version, tinulungan ng security guard magbuhat; the security guard's version, hindi tinulungan; and your version, you were provided with trolley.

MR. ORTONIO. That's what I can remember.

REP. LUISTRO. Assuming, Mr. Ortonio, that there is really a trolley, sino pong nagbuhat papunta sa trolley?

MR. ORTONIO. Again, as I can remember, it's coming from Land Bank po. That's what I can remember.

REP. LUISTRO. So, you are saying that were people from Land Bank who helped you put all these bags on the trolley?

MR. ORTONIO. That's what I can remember po.

REP. LUISTRO. And then, what did they do with the trolley?

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MR. ORTONIO. They wheeled it out of the bank and then helped in transferring to the vehicle.

REP. LUISTRO. Who actually placed the bags from the trolley to the vehicles?

MR. ORTONIO. Unfortunately, Your Honor, I could not remember. At that time that it was placed inside the car, I think I was still inside the bank. So, I really cannot remember.

REP. LUISTRO. Why were you inside the bank?

MR. ORTONIO. At that time, Your Honor, if I can remember it right, I was having a little bit of conversation with Ms. Violy.

REP. LUISTRO. Who is Ms. Violy?

MR. ORTONIO. The Land Bank…

REP. LUISTRO. The bank manager?

MR. ORTONIO. …manager.

REP. LUISTRO. And will you be generous enough, what…what you were conversing during that time that it have something to do with how you will carry the bag to the vehicle?

MR. ORTONIO. I cannot recall anymore the conversation that we've had.

REP. LUISTRO. Yes. How many bags were placed in the car where…where you seated?

MR. ORTONIO. All four bags were placed inside the car that I rode in.

REP. LUISTRO. Is that so?

MR. ORTONIO. Yes, that's correct.

REP. LUISTRO. That's another contradiction to the statement of Ms. Acosta.

MR. ORTONIO. Your Honor, if I may, if my memory serves me right. Ms. Gina wasn't able to mention where the bags were placed.

REP. LUISTRO. No, what she said, "Kung ma-hold up iyong isa, may tira pang isa," which leads me to one conclusion that the four bags were parted between the two vehicles. Otherwise, she will not be saying na may matitira pang isa kung sakaling ma-hold up iyong isa. I'm just trying to manifest the contradiction in your statements.

MR. ORTONIO. Yes…

REP. LUISTRO. But I don't mind really if that's what you recall.

MR. ORTONIO. Yes. Respectfully, Your Honor, that's what I recall, and Ms. Gina wasn't really able to mention which vehicle the bags were placed.

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REP. LUISTRO. And do you confirm her statement that you separated in two cars?

MR. ORTONIO. Yes, that's correct.

REP. LUISTRO. You seated in one car, and she seated in the other car?

MR. ORTONIO. That's correct, Your Honor.

REP. LUISTRO. So, would you confirm the statement of Ms. Acosta that she was instructed by the Vice President to give the 125 million to Colonel Lachica?

MR. ORTONIO. Unfortunately, Your Honor, I am not privy to that arrangement between Ms. Acosta and the Vice President.

THE CHAIRPERSON. One minute recess is declared by the Chair.

The meeting was suspended for less than one minute at 6:24 p.m.

THE CHAIRPERSON. Session resumes...

(MS. NERIZZA G. ONA TOOK OVER)

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THE CHAIRPERSON. (Continuing)...Session resumes.

REP. LUISTRO. Mr. Chair, I believe that I have no more questions to raise at the moment, so I'm yielding to my fellow Members of the Committee.

THE CHAIRPERSON. Thank you.

REP. SUAREZ. Mr. Chair...Mr. Chair...

THE CHAIRPERSON. Yes, DS Jay-Jay Suarez.

REP. SUAREZ. Point of clarification, and unfortunately, Ms. Gina Acosta is not here. There were some items where I'm trying to merge, and maybe Congresswoman Jinky can help me with this.

Kanina po ba sinabi ni Ms. Gina Acosta may mga vaults sa Office of the Vice President? Can you confirm this, Mr. Antonio? Would you know of these vaults?

REP. LUISTRO. Ortonio.

REP. SUAREZ. Ortonio.

MR. ORTONIO. I know of these vaults, as mentioned earlier, Your Honor, just with the fact or information that she is the Special Disbursing...

REP. SUAREZ. No, but have you seen these vaults?

MR. ORTONIO. Unfortunately, Your Honor, I haven't seen these vaults po.

REP. SUAREZ. So, who has seen these vaults?

MR. ORTONIO. I do not know who else has seen these vaults, but of course, I assume, it's Ms. Gina Acosta would have...would have seen it, being...

REP. SUAREZ. So, siya lang ang may alam noong vaults na iyon?

MR. ORTONIO. I would assume, Your Honor.

REP. SUAREZ. No, because you are Assistant Chief of Staff, correct?

MR. ORTONIO. Chief of Staff. Correct.

REP. SUAREZ. So, I'm sure, you would know of vaults. Because the vaults that she described were four-feet high and three, if I'm not mistaken, so you would know of these. I mean, it would be quite weird that an Assistant Chief of Staff wouldn't know of vaults in the office.

MR. ORTONIO. Ah...yes...

REP. SUAREZ. So, can you confirm these vaults? Yes or no?

MR. ORTONIO. Yes, I confirm the vaults, but I cannot confirm as to how many po.

REP. SUAREZ. Okay. So, you've seen these vaults?

MR. ORTONIO. I have...as mentioned earlier, Your Honor, I haven't seen these vaults po.

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REP. SUAREZ. So, how can you confirm something that you have not seen?

MR. ORTONIO. Based on the information that was shared...uhm...that was shared to me po.

REP. SUAREZ. By whom?

MR. ORTONIO. As mentioned po by Ms. Gina and...

REP. SUAREZ. So, what you are saying is, previous to Ms. Gina saying that there were vaults, you didn't know that there were vaults?

MR. ORTONIO. I knew of vaults in the possession of Ms. Gina. But, again, Your Honor, I haven't seen these vaults po.

REP. SUAREZ. So, okay. Because I'm trying to determine your knowledge of these vaults. Because in our previous hearings, Ms. Sanchez, tinanong po namin kayo tungkol sa mga vaults. At ang sabi po ninyo, mayroon po kayong vault, kaso lang, ang vault po ninyo ay para lang po sa payroll.

MS. ROSALYNNE L. SANCHEZ (Director, Administrative and Financial Services, Office of the Vice President). Petty cash.

MR. ORTONIO. Petty cash.

REP. SUAREZ. And expenses and petty cash expenses, correct? Atty. Sanchez?

THE CHAIRPERSON. Atty. Sanchez, you are recognized.

MS. SANCHEZ. Yes, Mr. Chair. That is correct.

REP. SUAREZ. Yeah. So, I'm actually reading our Transcripts here, 'no.

So, "I'm aware of the vaults, as mentioned by the Director of Finance and Admin. It is used for writing payroll and other items."

MS. SANCHEZ. And petty cash expenses, Mr. Chair.

REP. SUAREZ. Yeah.

And then...and then, when we continued on with the interpellation, Atty. Sanchez, you did not speak of any other vaults in the Office of the Vice President.

MS. SANCHEZ. That is correct, Mr. Chair, because...

REP. SUAREZ. Yeah. And we even asked you, when it came to the confidential funds, where were the funds kept, you said, "in an office."

MS. SANCHEZ. Ah, Mr. Chair, I said that I am...I have no personal knowledge.

REP. SUAREZ. Yeah, okay. But, in any case...so, I'm just trying to put things together.

So, how many vaults are there in the Office of the Vice President?

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MS. SANCHEZ. Mr. Chair, I'm only aware of one vault, which is used by the Cash Division.

REP. SUAREZ. And then, Mr. Ortonio would attest that there are three other vaults, other than the vault that Atty. Sanchez is speaking about.

MR. ORTONIO. Other vaults, Your Honor, for...as mentioned by Ms. Gina Acosta.

REP. SUAREZ. Hindi. Ah...Mr. Ortonio, walk me through here.

You get the money from the banks.

MR. ORTONIO. That's correct, Your Honor.

REP. SUAREZ. Correct.

And then, the money is brought to where?

MR. ORTONIO. Brought to the office.

REP. SUAREZ. Brought to the office.

MR. ORTONIO. Yes.

REP. SUAREZ. And while in the office, where is the money placed?

MR. ORTONIO. Sorry, Your Honor?

REP. SUAREZ. While in the office, where is the money placed?

MR. ORTONIO. I don't...to be honest, Your Honor, I'm not familiar where...uhm...where...uhm...Ms. Gina place it in the office. But, yes, there is a room where Ms. Gina places the money.

REP. SUAREZ. Yes, I understand, but you have to understand, Mr. Ortonio, Ms. Gina Acosta has been excused because her blood pressure hit 150/100. And I'm sure in her state of health, she wouldn't be able to carry 125 million pesos by herself. Kayong dalawa ang mga personalidad na may kinalaman sa pagdadala ng pera.

So, ang sinasabi mo ba sa akin, noong dinala na ang pera sa OVP, sa Office of the Vice President, hindi mo na alam kung saan ito idinala?

MR. ORTONIO. Yes, Your Honor. It's just Ms. Acosta, together with two VPSP...

REP. SUAREZ. Oh, so there...

MR. ORTONIO. Two V...

REP. SUAREZ. So now there are two other people.

MR. ORTONIO. Two VPSPG guards on duty at that day who helped Ms. Acosta...

REP. SUAREZ. Carry the bags?

MR. ORTONIO. To bring the money. Yes.

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REP. SUAREZ. So, ang role mo, hanggang sasakyan lang?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. SUAREZ. Okay.

So, when the V…who are these two VPSG? Can you identify them, please?

MR. ORTONIO. I cannot remember anymore who those VPSPG on duty that day because they are on rotation.

REP. SUAREZ. Yeah, but I'm sure you would know their names. I mean, you're talking about 125 million here, Mr. Ortonio. I mean, if it was just like a mere envelope that was submitted to the office, I would understand, but something so delicate as 125 million, siguro po iilan lang ang puwedeng pagkatiwalaan ng halagang ito, at napakahirap naman pong paniwalaan na sasabihin mo sa akin, "Hindi ko maalala iyung dalawang tao na iyon."

Sino po iyung dalawang tao na iyon, Mr. Ortonio?

MR. ORTONIO. Really, Your Honor, I could not remember because, again, the VPSPG that are on duty at the office regularly rotates po.

REP. SUAREZ. So, are you trying to tell me, Mr. Ortonio, that this is the practice at the Office of the Vice President when you handle amounts amounting to 125 million pesos? Hindi ninyo na po binibigyan ng masyadong pagpapahalaga, at hindi ninyo na po kinikilala iyung mga taong dapat pagkatiwalaan upang siguraduhin na secure ang perang iyon? Kasi kung hindi ninyo po kilala, eh, 'di parang nakakagulat po dahil malaking halaga po ito. At the very least, you should have certain protocols, I mean, from the delivery of the money to the office up to where it's being brought. I'm quite shocked, Mr. Ortonio, that you don't even know where the money is brought.

Do you know where the money is brought?

MR. ORTONIO. As mentioned by Ms. Gina, it's brought to her extension office.

REP. SUAREZ. And the…and the extension office is, this is where the vaults are, I presume.

MR. ORTONIO. Yes, I presume, Your Honor.

REP. SUAREZ. And, however, you have not seen these vaults?

MR. ORTONIO. No, Your Honor.

REP. SUAREZ. Thank you very much, Mr. Chair. I just wanted to get that clarified, kasi medyo hindi lang po ako na…at saka dito lang sa Land Bank, can I just get back to you, kasi medyo hindi po magtugma iyung notes ko.

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Sabi po kasi ni Ms. Gina Acosta, may tumulong sa pagbubuhat. Sabi naman po ni Mr. Ortonio, inilagay po 'yung pera sa...ah...push cart po ba? Ano'ng sinabi ninyo? Ano po'ng ginamit?

REP. LUISTRO. Trolley.

REP. SUAREZ. Trolley.

MR. ORTONIO. Parang trolley.

REP. SUAREZ. Trolley, oo.

So, from the Land Bank, what is the procedure when it comes to cash withdrawals? Is the bank actually allowed to facilitate or aid clients when it comes to bringing out cash out of the banks?

MS. CONSTANTINO. Your Honor, as courtesy po to our clients, nae-extend lang po namin iyung help sa kanila.

REP. SUAREZ. Again?

MS. CONSTANTINO. As courtesy po to our clients, nae-extend lang po namin iyung help na iyon sa client po, Mr. Chair.

REP. SUAREZ. So, you confirm that the bags were trolleyed off out of the bank, with the help of Land Bank...

(MS. THELMA M. RETUBA TOOK OVER)

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REP. SUAREZ. (Continuing)... help of Land Bank personnel?

MS. CONSTANTINO. Actually, hindi ko na po maalala iyong mga panahon na iyon, Your Honor.

REP. SUAREZ. Okay. Dito sa dalawang security guards, kayo po ba iyong on duty noong panahon na...

THE CHAIRPERSON. Niño.

REP. SUAREZ. Ha?

THE CHAIRPERSON. Si Niño.

REP. SUAREZ. Mr. Niño Borra, kayo po iyong on-duty noong inilalabas po iyong pera?

MR. BORRA. Opo. Ako po, Sir.

REP. SUAREZ. Opo. Noong inilalabas po iyong pera, kayo din po ang tumulong sa pagbubuhat at pagtutulak?

MR. BORRA. Hindi po.

REP. SUAREZ. Eh, sino po ang tumulong?

MR. BORRA. Hindi ko po maalala kung sino iyong tumulong.

REP. SUAREZ. Okay. Medyo hindi na tayo nagtutugma dito, Ma'am, kasi sabi niny, as courtesy tinulungan po sila, kaso lang ang sinasabi po ng security personnel hindi daw po. So, puwede po bang malaman natin kung ano po talaga ang nangyari?

MS. CONSTANTINO. Your Honor, iyon pong pag provide po siguro ng trolley. Iyon lang po iyong extension ng pag help namin.

REP. SUAREZ. Iyong?

MS. CONSTANTINO. Pag provide po ng trolley.

REP. SUAREZ. Ah, iyong pag provide ng trolleys.

MS. CONSTANTINO. Yes, Your Honor.

REP. SUAREZ. Okay. So, sino po ang nagtulak noong trolleys?

MS. CONSTANTINO. Hindi ko na po maalala, Your Honor.

REP. SUAREZ. Mr. Ortonio?

MR. ORTONIO. Based on my recollection, Your Honor, as far as I can remember, someone helped us in...ang recollection ko po is it was from Land Bank. That's my recollection.

REP. SUAREZ. But Land Bank is saying they just provided the trolleys. The security officers said hindi daw po sila. Tapos ang sinasabi mo naman taga Land

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Bank po ang tumulong. So, medyo hindi po nagtutugma iyong statement ninyo, Mr. Ortonio sa statements po ng Land Bank. So, ano po ba talaga ang katotohanan?

MR. ORTONIO. Your Honor, that's what I can recall po as of this moment.

REP. SUAREZ. No, I'm not asking you of what you can remember as of this moment. What I am asking you, Mr. Ortonio, is the truth and the fact. So, what is it?

MR. ORTONIO. Again, Your Honor, I'm relying on my memory right now and that's what I can remember that happened that day.

REP SUAREZ. In the four times that you withdrew money, siguro naman maaalala ninyo, apat na beses, 125 million, 500 million ang pinag-uusapan natin. Siguro naman malalagyan ninyo ng kaunting pagpapahalaga maalala ninyo man lang kung sino ba ang tumulong sa inyo kasi dadalawa lang po kayo, sabi ninyo, ikaw at saka si Ma'am, si Gina Acosta.

So, ang tanong po, sino po ang kasama pa po ninyo dito po sa paglalabas ng pera mula sa bangko?

MR. ORTONIO. Again, Your Honor, as far as I can remember, Land Bank assisted us in terms of having to place the bags inside the vehicle. That's what I can remember.

REP. SUAREZ. As, you know, that's against bank policy. Am I correct, Land Bank?

MS. CONSTANTINO. Yes, Your Honor.

REP. SUAREZ. I'm correct, that is against bank policy?

MS. CONSTANTINO. Yes, Your Honor.

REP. SUAREZ. Mr. Chair, it seems like mayroon po tayong problema dito. One of our resource persons is insisting that Land Bank personnel helped them take the money out of the bank and into the car. However, Land Bank is saying, at most, pinahiram po sila ng trolley. Kaso pagdating sa pagtutulak at pagpapasok sa pera hindi po nila gagawin iyon kasi labag po iyon sa polisiya ng mga bangko.

So, Mr. Ortonio, last chance, let's not forget that you are already cited in contempt, can you please inform us of these details, who else were you with when you withdrew the money from Land Bank?

MR. ORTONIO. Again, Your Honor, respectfully, it was only me and Ms. Gina who withdrew the money from the bank.

REP. SUAREZ. Let me read to you, Mr. Ortonio, letter (c), under Section 11, "Refusal to answer any relevant inquiry." So, Mr. Ortonio, wala naman pong mawawala kung magsasabi po kayo ng katotohanan. Iyon lang po, simple lang po

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iyong tanong namin, sino po iyong kasama ninyo noong inilabas ninyo po iyong pera. Hindi ninyo po puwedeng sabihin na Land Bank kasi mismong Land Bank na, dalawa sa kanila ang nagsabi, labag sa kanilang polisiya iyon at iyong mismong security guard, at that time, sinabi din na hindi daw po sila. At hindi naman po puwede na hindi ninyo maalala kung sino pong kasama ninyo kasi 125 million pesos po ang pinag-uusapan natin. Other than Ms. Gina Acosta, who else were you with when you brought the money out?

MR. ORTONIO. It was me and Ms. Gina Acosta who were present but, of course, we also had guards on duty, but ang nag-withdraw lang po ng money is Ms. Gina and me.

REP. SUAREZ. So, sino pa nga po iyong ibang kasama ninyo? Iyon po ang itinatanong ko. Sino pa po iyong ibang kasama ninyo?

MR. ORTONIO. In terms of kasama po, we also had VPSPG on duty that day and the driver.

REP. SUAREZ. There you go. It wasn't so hard, 'di ba? So, can you name these individuals?

MR. ORTONIO. I'll have to recall, Your Honor, kung sino po iyong mga guards on duty that day because, as mentioned earlier po, the guards on duty at the Office of the Vice President regularly rotates po.

REP. SUAREZ. So, what you're telling me is on those four occasions na naglabas kayo ng pera, ni isa sa mga taong nakasama ninyo, maliban kay Gina Acosta, hindi mo maalala kung sino?

MR. ORTONIO. I'll have to recall.

REP. SUAREZ. Just one person.

MR. ORTONIO. I'm just trying to recall po, Your Honor, if there are.

REP. SUAREZ. Mr. Chairman, ang pinag-uusapan po natin dito kalahating bilyong piso. Puwede ba iyon, hindi mo alam kung sino iyong nag-drive? Maski isang beses lang...sabi ninyo dalawang sasakyan kayo, hindi ninyo alam kung sino ang nagmaneho, hindi ninyo alam kung anong pangalan ng security. Puwede ba iyon? Napaka imposible po noon. That is very...I'm sorry, Mr. Ortonio, that is very hard to accept.

I am of the position that you are purposely hiding the identities of these people for reasons I do not know.

Number one, Land Bank already said it wasn't them that helped you push the trolleys maski sinabi mo na Land Bank. Strike one ka na doon.

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Pangalawa, tinatanong kita kung sino ang kasama mo, ni isa hindi po maalala maliban kay Ms. Gina Acosta. Para namang napakahirap namang paniwalaan iyon, Mr. Ortonio. Bigla naman kayong nagkaroon ng case of amnesia.

MR. ORTONIO. Your Honor, if my memory serves me right, one of the guards who was with us is...I just do not know iyong kaniyang, anong tawag nito, iyong kanyang position, iyong kaniyang title, iyong rank niya, but it's Mr. Guerrero po, one of the drivers.

THE CHAIRPERSON. Col. Lachica, you're excused.

REP SUAREZ. Mr. Chairman, one minute suspension.

THE CHAIRPERSON. One minute suspension is declared by the Chair.

Suspension: 6:44 p.m.

Resumption: 6:54 p.m.

THE CHAIRPERSON. Committee hearing resumes...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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THE CHAIRPERSON (Continuing)...Committee hearing resumes.

Please continue, Cong… Congress… Deputy Speaker Jay-Jay Suarez.

REP. SUAREZ. So, Mr. Ortonio, dahil napakahalagang pera ang pinag-uusapan po natin, so you mentioned Guerrero. So, maliban po kay Guerrero, sino pa po ang kasama ninyo?

MR. ORTONIO. I'll try to recall po the names. Mr. Guerrero and...

REP. SUAREZ. But Guerrero is a very vague name. A lot of people share that last name. Would you know his first name?

MR. ORTONIO. Your Honor, would it be possible, considering these are names of the VPSPG, would it be possible if I just give the names to you…

REP. SUAREZ. So… So...

MR. ORTONIO. ...and not publicly mention them already because I am not sure on the protocols, the security protocols that VPSPG has in terms of having to share the names of their personnel?

REP. SUAREZ. So, you're... you're concerned about the security aspect.

MR. ORTONIO. Truthfully, Your Honor, yes.

REP. SUAREZ. So, you want to write it in a piece of paper?

MR. ORTONIO. I can provide you, Your Honor.

REP. PADUANO. Chairman. Chairman, just a...

THE CHAIRPERSON. Before I recognize Congressman Paduano, the Chair would like to recognize the Honorable Arnan Panaligan from the 1st District of Oriental Mindoro, the Honorable Zia Alonto Adiong from the 1st District of Lanao del Sur, Honorable Julienne "Jam" Baronda, Deputy Majority Leader, from the Lone District of Iloilo City, the Honorable Edward Vera-Perez Maceda from the 4th District of Manila, the Honorable Horacio P. Suansing, Jr. from the 2nd District of Sultan Kudarat, the Honorable Ma. Rene Ann Lourdes Matibag from the 1st District of Laguna, the Honorable Bonifacio L. Bosita from 1-RIDER Party List.

Yes, Congressman Paduano, you're recognized.

REP. PADUANO. Thank you, Mr. Chairman.

Through the Chairman, I will just address my query to Mr. Ortonio. Kasi, Sir, kanina sabi mo you have to refresh your memory, 'di ba? Ano ba talaga ang totoo?

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Kasi… sandali po. Please wait to be recognized by the Chairman. Hindi pa ako tapos. Kasi po, sa akin po, you're concealing information and that's… that's in violation of our internal rules with regards to Section 11, concealment of information. So, ano ba talaga, nakalimutan mo o dahil doon sa question of protocol?

MR. ORTONIO. To tell you the truth po, Your Honor, it's really on the protocols, Your Honor. It's really on the protocols.

THE CHAIRPERSON. Okay. Could you please give us the names of the security personnel?

REP. SUAREZ. Submit it to SecGen, ay, to ComSec.

THE CHAIRPERSON. Submit it to ComSec.

Okay. Next to interpellate si Cong… Congressman Zia.

MALE VOICE. Wala si Zia. Si Jay Khonghun.

THE CHAIRPERSON. Jay, Congressman Jay Khonghun.

REP. JEFFERSON F. KHONGHUN. Thank you, Mr. Chair.

Mr. Chair, may I direct my questions to Ms. Sunshine Fajarda?

THE CHAIRPERSON. Yes, please. Ms. Sunshine Fajarda.

MS. SUNSHINE CHARRY A. FAJARDA (Former Assistant Secretary, Department of Education). Yes, Mr. Chair. Good evening po.

REP. KHONGHUN. Ms. Sunshine Fajarda, kayo po ay nagtrabaho sa ilalim ni Vice President Sara noong siya po ay Mayor pa ng Davao City, tama po ba?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Kailan po ito?

MS. FAJARDA. It was in 2011, Mr. Chair.

REP. KHONGHUN. Ano ang nahawakan mong posisyon noong ikaw ay nagtatrabaho sa Davao?

MS. FAJARDA. When I started working for the Office of the City Mayor, Mr. Chair, I was under a contract of service. It was… I think Operations Assistant was the designation, Mr. Chair.

REP. KHONGHUN. Ano ang tungkulin mo sa posisyong ito?

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MS. FAJARDA. My work at that time, Mr. Chair, was to write technical letters.... ah, sorry, technical writing, preparation of MOA, drafting of executive orders, and also attending meetings on behalf of the City Mayor's Office.

REP. KHONGHUN. Abogado po ba kayo? O, abogado po kayo, tama po ba?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Kailan po kayo nakapasa sa bar exam?

MS. FAJARDA. I passed, Mr. Chair, in 2019 because I took the 2018 bar examination.

REP. KHONGHUN. Kasabay niyo po si ano, Attorney Michael Poa?

MS. FAJARDA. I believe so, Mr. Chair, yes.

REP. KHONGHUN. Okay. At noong si Vice President Sara ay naging DEPED Secretary, kayo ay unang naging Head Executive Assistant niya sa Department of Education. Tama po ba?

MS. FAJARDA. Yes, I confirm that, Mr. Chair.

REP. KHONGHUN. Hanggang kailan ito?

MS. FAJARDA. It was from July 1, 2022 until, I believe, around April, Mr. Chair, 2023.

REP. KHONGHUN. Noong matapos ito, kayo naman ay inatasan niyang maging assistant secretary noong Office of the Secretary sa DEPED. Tama po ba?

MS. FAJARDA. Yes, Mr. Chair. I was appointed by the President po as Assistant Secretary of the Office of the Secretary.

REP. KHONGHUN. Bilang ASec, ano ho ang iyong tungkulin?

MS. FAJARDA. I was in charge of the administration of the entire Office of the Secretary, Mr. Chair. I was also assisting the Vice President in technical matters like in meetings. I also assisted her during the field visitations and also helped out in managing the staff in the entire office of the Secretary Proper po.

REP. KHONGHUN. At kayo rin ay bumitiw sa Department of Education sa inyong posisyon noong July 9, 2024, tama po ba?

MS. FAJARDA. Yes, Mr. Chair...

REP. KHONGHUN. Kasabay...

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MS. FAJARDA. Sorry, Mr. Chair, it wasn't July 9 po. I believe it was... I started with the Office of the Vice President, Mr. Chair, July 16 po.

REP. KHONGHUN. Okay. Kasabay mong nag-resign, 'no, sa Department of Education sila retired Major General Mempin, Mr. Munsayac, Mr. Poa, at si Mr. Baluyan, tama ba?

MS. FAJARDA. Bale po, Mr. Chair, nauna po ako ng ilang araw. Nagpa... Nag-send po ako ng aking resignation letter. Nauna po ako ng ilang araw sa kanila, Mr. Chair.

REP. KHONGHUN. Dahil ito sa kadahilanang nagbitiw na si Vice President Sara bilang Secretary ng Department of Education.

MS. FAJARDA. That's one of the reasons, Mr. Chair, and I also wanted to respect the decision of the next Secretary as to whom he should be... who he wants to be appointed for the position that I was handling at that time.

REP. KHONGHUN. At noong kayo ay nag-resign sa Department of Education, kayo naman ay nailipat sa Office of the Vice President, tama po ba?

MS. FAJARDA. I applied, Mr. Chair, as one of the employees po of the Vice President's Office.

REP. KHONGHUN. Ano ang posisyon mo sa Office of the Vice President?

MS. FAJARDA. At the moment, Mr. Chair, I'm the Director for the Strategic Management Operations... ah, sorry, Strategic Management Office, SMO office po.

REP. KHONGHUN. Ano iyong layunin noong iyong... Ano ang layunin ng Strategic Management Office?

MS. FAJARDA. I handle...

REP. KHONGHUN. Ano iyong trabaho mo?

MS. FAJARDA. Sorry, Mr. Chair. Okay. I handle three divisions po—the Knowledge Management Division, the Management Information Systems Division, as well as the Planning Division po. So, we handle the matters on planning, on the knowledge management as well as the information systems po like iyong sa technology, IT po na division.

REP. KHONGHUN. Ano ang experience ninyo at ikaw ay nilagay, 'no, bilang Director ng Strategic Management Office? Sa iyong palagay, kwalipikado ka ba?

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MS. FAJARDA. I believe so, Mr. Chair, because my papers and my application was submitted to the Civil Service Commission and it was also approved by them.

REP. KHONGHUN. Okay. Balikan natin ulit, 'no, noong November 11, 2024 nag-issue ang Komiteng ito ng contempt order or arrest order laban sa iyo dahil hindi ka nag-a-attend ng hearing.

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Noong November 14, 2024 nakatanggap ang Komiteng ito ng letter na nagsasabi na ikaw, eh, nasa official business sa Southern Mindanao Satellite Office noong November 9 up to November 15, tama ba?

MS. FAJARDA. I received a travel order, Mr. Chair, and I left Manila po on November 9 so that I can help out or monitor the thanksgiving activities in Davao City supposedly.

REP. KHONGHUN. Sa mga aktibidades na ito, ano ang partisipasyon ninyo?

MS. FARJARDA. Supposedly, Mr. Chair, I was to monitor the thanksgiving activities. Unfortunately, I wasn't really able to attend any of these because when the arrest order came out po, November 11, I was so afraid already. I did not go out of the house anymore. So, I... I informed po the office that I... I actually informed the office and the Vice President that I can... I did not attend the activities, Mr. Chair, because medyo natakot po talaga ako noong lumabas na iyong arrest order. So, nag-stay lang po ako sa bahay ng ate ko sa Davao City...

(MS. FLORISA M. PADA TOOK OVER)

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MS. FAJARDA. (Continuing)...ate ko sa Davao City.

REP. KHONGHUN. So, hindi ka nag-participate sa ginawang activities ng OVP sa Southern Mindanao Satellite Office.

MS. FAJARDA. Yes, Mr. Chair. I did not participate and due to fear po of being seen because of the arrest order, Mr. Chair.

REP. KHONGHUN. Kanino mo sinabi na nasa bahay ka lang o hindi ka nagpa-part...hindi ka...hindi ka nag-participate?

MS. FAJARDA. I actually informed the Vice President, Mr. Chair, and I also texted ASec. Lemuel, but I am not sure if he received it because hindi rin ako naka-receive noong response at that time.

REP. KHONGHUN. Okay. Hindi ka nagpaalam kay Atty. Zuleika Lopez?

MS. FAJARDA. Hindi po ako nagpaalam direct sa kanya because I was thinking, Mr. Chair, that she was still in the United States at that time. I did not know that she already went home or went back home.

REP. KHONGHUN. Okay.

Kilala mo si ano, si Ms. Zuleika Lopez?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Gaano na kayo katagal magkakilala?

MS. FAJARDA. When I started working for the Office of the City Mayor, Mr. Chair, in 2011, she was already the City Administrator at that time.

REP. KHONGHUN. Siya ang iyong...Siya ang Chief of Staff, 'no, at Undersecretary ng OVP noong panahon kayo ay nagtatrabaho sa Department of Education. Tama ba?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. So, balik po tayo unti, 'no, noong panahong nasa Department of Education po kayo habang kayo po ay HEA o Assistant Secretary ni Vice President sa DEPED. Madalas ka rin bang pumunta sa Office of the Vice President?

MS. FAJARDA. Actually, Mr. Chair, hindi po kasi hindi ko po maiwan iyong Office of the Secretary. So, mabibilang pa lang po ng limang daliri ko iyong pagpunta ko doon, depende lang po, pag may ano, pag mayroon silang ini-invite. Like I was invited in one of their events, like iyong Halloween po na judging ng kanilang mga events, ganoon po na klase lang ang pagpunta ko doon.

REP. KHONGHUN. So, hindi ka madalas ipatawag ni Vice President Sara?

MS. FAJARDA. No, Mr. Chair.

REP. KHONGHUN. Okay.

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Asawa mo si Ginoong Edward Fajarda?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Tama po ba?

Si Edward ba ay nagtatrabaho rin sa ilalim ni VP Sara noong Mayor pa siya ng Davao?

MS. FAJARDA. No, Mr. Chair. He wasn't.

REP. KHONGHUN. Okay.

Si Edward, siya iyong na-appoint, 'di ba, na...bilang special disbursing officer sa DEPED. Tama?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Sabay kayo ni Edward na nagtrabaho sa Department of Education.

MS. FAJARDA. Nauna lang po ako ng one month, Mr. Chair. He started with the Department of Education in August 1; I started July 1, 2022 po.

REP. KHONGHUN. At noong July 2024, kayo ay nag-resign sa Department of Education kasabay nila Usec. Michael Poa, ASec. Reynold Munsayac, Usec. Nolasco Mempin at ASec. Baluyan. Tama ba?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. At ikaw din ay nag-resign sa DEPED, kasama ni Mr. Edward Fajarda. Tama ba?

MS. FAJARDA. That's correct, Mr. Chair.

REP. KHONGHUN. Ngayon...Ngayong panahon na ito, ano ang tungkulin mo sa...o responsibilidad mo sa OVP?

MS. FAJARDA. As I've mentioned already kanina, Mr. Chair, I am the Director for the Strategic Management Office po.

REP. KHONGHUN. Okay. Kung maaalala ho natin, 'no, noong nakaraang hearing, sinabi, 'no, ni Usec. Gloria Jumamil-Mercado na inabutan mo siya ng puting envelope na may nakasulat na HOPE. Ang ibig sabihin ng HOPE...Tingin mo, ano'ng ibig sabihin ng HOPE?

MS. FAJARDA. I believe that's the Head of Procuring Entity, Your Honor.

REP. KHONGHUN. Okay. So, iyon nga ang sinabi niya—inabutan mo siya ng ano, ng sobre na nagkakalaman ng 50,000.

MS. FAJARDA. Allegedly, Mr. Chair, yes.

REP. KHONGHUN. Kaya nga. Iyon nga iyong sinabi niya, ano.

MS. FAJARDA. Yes po.

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REP. KHONGHUN. At sinabi rin ni Ms. Catalan, ang Chief Accountant ng DEPED, sinabi rin niya noon na inabutan mo rin siya ng pera na galing sa confidential fund.

Ms. Shine, matagal na kayong nagtatrabaho kay VP Sara, masasabi mo ba na loyal ka sa kanya?

MS. FAJARDA. I am loyal, Mr. Chair, to anybody whose…whom I'm working for because that's part of my job po as an employee.

REP. KHONGHUN. Siyempre, 'no. Siguro naman, dahil sa sobrang tagal ninyo na na magkakilala ni Vice President Sara Duterte, hinayr *(hire)* ka niya sa Davao tapos dinala ka niya o nag-apply ka at tinanggap ka niya sa Department of Education. At noong nag-resign ka, nag-apply ka rin sa Office of the Vice President at ikaw, eh, tinanggap niya, masasabi natin na talagang loyal ka, 'no, kay Vice President Sara?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. At dahil sa matagal na kayong nagtatrabaho kay VP Sara, 'no, naging HEA ka niya sa Department of Education, ano ang kadalasang trabaho na pinapagawa niya sa iyo?

MS. FAJARDA. As Head Executive Assistant, Mr. Chair? It's actually similar to…

REP. KHONGHUN. Yes.

MS. FAJARDA. …my role as ASec, mas nadagdagan lang po iyong ASec. It's still administration po, general administration of the Office of the Secretary proper, supervision of the people inside the Office of the Secretary proper, assisting her during the field visitations, helping her with meetings and technical na requirements, and there was also a time when I was helping her or drafting department orders on behalf of the Office of the Secretary.

REP. KHONGHUN. Talagang napakadami mong ano, 'no, ginagawa sa kanya at talagang masasabi natin dahil sa sobrang dami ng iyong obligasyon sa iyong trabaho sa kanya, eh talagang masasabi natin na pinagkakatiwalaan ka niya. Tama ba?

MS. FAJARDA. I believe so, Mr. Chair.

REP. KHONGHUN. Noong naging HEA at Assistant Secretary ka ng DEPED, kilala ninyo si Usec. Gloria Mercado. Tama ba?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Si Director Resty Osias?

MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Si Ms. Rhunna Catalan?

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MS. FAJARDA. Yes, Mr. Chair.

REP. KHONGHUN. Okay.

Now, balikan natin, 'no, noong...iyon ngang sinabi ni ano, 'no, Usec. Gloria Mercado. Sinabi nila noong nakaraang hearing, isiniwalat nila sa Komiteng ito na inabutan mo daw sila ng puting envelope na naglalaman, 'no, ng malaking pera. So, dahil hindi ka nagpakita sa mga panahong ito, hindi ka nabigyan ng pagkakataon para sagutin, 'no, iyong mga akusasyong ito. Totoo ba na inabutan mo sila ng sobre o nagsisinungaling silang tatlo?

MS. FAJARDA. Respectfully, Mr. Chair, I would not want to answer that question. May I explain, if I be allowed.

REP. KHONGHUN. Go ahead.

MS. FAJARDA. In the previous hearings, Mr. Chair, there have been those allegations which insinuated that I committed these illegal acts. There were actually some crimes that were mentioned. And as such, if I'm going to answer those allegations, Mr. Chair, respectfully, I would want to answer them in a proper forum wherein I will be able to present my defenses based on the completeness of the said allegations, Mr. Chair.

REP. KHONGHUN. Hindi. Tinatanong lang naman kita kung...kung mayroon kang inabot o wala. It is answerable by yes or no. Kung wala, sabihin mong wala; kung mayroon, sabihin mong mayroon.

MS. FAJARDA. I will not answer, Mr. Chair, respectfully po. I already have stated my reason for such.

REP. KHONGHUN. So, you are invoke...invoking your right for self-incrimination.

MS. FAJARDA. I will not answer it, Mr. Chair, as I've already informed you of the reason for such.

REP. KHONGHUN. Okay.

REP. GUTIERREZ. Mr. Chair.

REP. PADUANO. Please proceed.

REP. GUTIERREZ. Mr. Chair, I hope you'll understand po, with...respectfully through the Chairman.

Atty. Fajarda, we have Rules po kasi in the Committee and refusal to answer is a ground for contempt. We would much prefer if you would choose to invoke your right. Please do so. Do not say that you are refusing to answer. If you...You are very welcome to invoke your right, but we need to hear it from you po.

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MS. FAJARDA. I stand by my answer in the previous answer that I've given to Honorable Khonghun, Mr. Chair.

REP. GUTIERREZ. That you refuse to answer?

MS. FAJARDA. Yes, Mr. Chair, because I will only answer in a proper forum where I will be able to present my defenses po.

REP. GUTIERREZ. You refuse to answer; yet, you do not invoke the right.

MS. FAJARDA. It's...It's in the same manner, Mr. Chair, that I am saying that I refuse to answer such questions po.

REP. GUTIERREZ. Well, Mr. Chair, we'll leave it to the Committee on how they would appreciate...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. GUTIERREZ. (Continuing)...they would appreciate that answer. Just want...We just had to clarify whether this was an invocation of the right.

Thank you, Ms. Fajarda. Thank you, Mr. Chair.

REP. ADIONG. Mr. Chair, Mr. Chair, may I...may I interject. May I follow up, Mr. Chair. Yeah

REP. SUAREZ. Go ahead. Go ahead.

REP. ADIONG. Yeah. Mr. Chair, so, again, I would like to reiterate the question of Congressman Rodge Gutierrez. Your answer, would that, in effect, invoking your right against self-incrimination?

MS. FAJARDA. Yes, Mr. Chair.

REP. ADIONG. Okay. Yeah. Because you've mentioned about the proper forum, so I would presume that the proper forum is the court?

MS. FAJARDA. Yes, Mr. Chair.

REP. ADIONG. Okay. Thank you, Mr. Chair.

So, you invoke...you are invoking your right against self-incrimination?

MS. FAJARDA. Yes, Mr. Chair.

REP. ADIONG. Okay. But, Mr. Chair, but that does not mean that she is denying the allegation. She is just merely invoking her right against self-incrimination. To me, Mr. Chair, that's my own interpretation and that's a...it's one way of saying that I admit but this is not the proper court to discuss that.

Thank you, Mr. Chair. That's just a manifestation po and that is my personal interpretation po.

MS. FAJARDA. I understand, Mr. Chair.

REP. ADIONG. Thank you, Mr. Chair.

THE CHAIRPERSON. We will respect your right against self-incrimination.

Next. Yes, please continue, Congressman Khonghun.

REP. KHONGHUN. So, base sa tatlong opisyales ng Department of Education, katulad sa mga pahayag nila Usec. Mercado, Ms. Catalan at Director Osias, kayo po ay nagbigay sa kanila...or Director Osias, kayo po ay nagbigay sa kanila ng sobre, binigyan niyo po sila ng pera, at katulad nga po ng sinasabi nila ito ay galing sa confidential fund ng Department of Education. Ngayon, kung hindi niyo po masasagot ng diretso ito, igagalang ko po iyong inyong karapatan na hindi sagutin, kaya lang hindi mo maiiwasan ang...hindi mo maiiwasan ang Komiteng ito na mag-

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isip kung totoo nga ba ang sinasabi ni Usec. Mercado, ni Ms. Catalan, at ni Director Osias.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you. The next to interpellate is Congressman Zia Alonto Adiong.

REP. ADIONG. Thank you, Mr. Chair.

I'd like to...Again, I'd like to be enlightened, and if you may, Ms. Fajarda, you walk me through on how the utilization of the confidential funds pertaining to the issuances of the disbursement, liquidation report, the checks, and the disbursement vouchers, if you may? This is also in line with my...the attempt of this Representation to really fully understand on how you comply with the joint circular, so just walk me through.

Ms. Fajarda, last hearing, Usec. Mercado says na ikaw ang nag-abot sa kaniya...ikaw ang nag-abot sa kaniya ng tseke na nagkakahalaga ng 37.5 million, these are three checks which amounts to 112.5 million in total, para kaniyang pirmahan iyong releasing of the confidential funds ng DEPED noong 2023, would you confirm that, Ms. Fajarda?

MS. FAJARDA. That is false, Mr. Chair. I never gave any checks to Ms. Mercado, number one. And number two, Mr. Chair, I am not involved in any way in the utilization of the confidential funds, respectfully, Mr. Chair.

REP. ADIONG. Okay. So, you are saying that you never, in any way, secure the signatures of Miss/Usec. Mercado,...

MS. FAJARDA. Yes, Mr. Chair, I never...

REP. ADIONG. ...categorically?

MS. FAJARDA. ...secured any her...of her signatures.

REP. ADIONG. So, what you are saying is that Miss/Usec. Mercado is the one lying, is that correct?

MS. FAJARDA. I am not also saying that, Mr. Chair. I wasn't really able to listen to what she said, but I did not give her any checks nor did I request her to sign any checks.

REP. ADIONG. Okay. According to Ms. Mercado also, the checks that were requested for her to sign should also be supported by a signature from Annalyn Sevilla. Would you know Annalyn Sevilla?

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MS. FAJARDA. Yes, Mr. Chair, she's an undersecretary of the Department of Education.

REP. ADIONG. Okay. What is your participation, first? Can you walk me through? What is exactly your participation insofar as the securing of the signatures for the disbursement...to secure the disbursement vouchers?

MS. FAJARDA. My participation, Mr. Chair, is ministerial in nature because our set-up with the Office of the Secretary since I am in charge of the admin work is that the documents for signature of the Vice President goes through me and then...

REP. ADIONG. Wait...

MS. FAJARDA. Yes.

REP. ADIONG. ...lang po kasi para maintindihan ko po. Sige, can you please ano?

MS. FAJARDA. My participation, Mr. Chair, in the securing of signatures is ministerial in nature.

REP. ADIONG. Meaning?

MS. FAJARDA. Meaning, that all the documents in the Office of the Secretary that are for signature of the Vice President goes through me...or go through me so that I can have it signed by her.

REP. ADIONG. Yeah, that's correct. So, meaning to say, when it comes to, like, for example, the...Can we request the ComSec to show us the disbursement voucher?

THE CHAIRPERSON. ComSec.

REP. ADIONG. Yeah. So, all of these three disbursement vouchers are signed by Vice President Sara Duterte. Now, prior to the signing or releasing of the checks, you have to secure first the disbursement voucher, am I correct?

MS. FAJARDA. Yes, Mr. Chair.

REP. ADIONG. And so the signature of the Vice President, Sara Duterte, with that of Annalyn Sevilla as indicated here in the disbursement voucher, if we are to take your answer that you are to secure the signatures, does that mean that you also, in a way, required for this disbursement voucher to present this to Usec. Mercado for the release of their checks?

MS. FAJARDA. No, Mr. Chair, I have no transaction whatsoever with Ms. Mercado in relation to the confidential funds.

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REP. ADIONG. Okay. So, what does the needed signature of the Vice President for the disbursement voucher...what is it for in this particular monitor? Is it for the releasing of the three checks, is it correct?

MS. FAJARDA. I believe, Mr. Chair, that that is for the...for the processing of the disbursement voucher for the confidential fund.

REP. ADIONG. That's correct. That is correct, and that is what Usec. Mercado said in the previous hearing. In fact, the testimony of Usec. Mercado is re...it's reinforced and corroborated by the statement of Ms. Catalan. So, that voucher is needed to secure the release of the checks, am I correct?

MS. FAJARDA. Yes, Mr. Chair, because it is routed to our office from the Accounting office.

REP. ADIONG. So, where do you give the vouchers after having all these signatures attached in this ano...where do you go from...from here?

MS. FAJARDA. After the...After securing the signature of the Vice President, it has to be returned to the SDO and then the SDO will be the one to return it to the Accounting office.

REP. ADIONG. You mean to say SDO in this case is your husband?

MS. FAJARDA. Yes, Mr. Chair.

REP. ADIONG. So, it goes back to the SDO?

MS. FAJARDA. Yes, because he is the one carrying the documents back to the accounting office.

REP. ADIONG. So, your husband is the one going...So, siya ang pumupunta doon sa Accounting office for the release of this?

MS. FAJARDA. Yes, because he is the SDO, Mr. Chair.

REP. ADIONG. Okay. Would you confirm that all these three disbursement vouchers correspond to the 37.5 million pesos that were encashed by your husband, Mr. Fajarda?

MS. FAJARDA. I have...I do not have the copies of the three vouchers, Mr. Chair. But I cannot confirm that because, again, I am not the one involved in the confidential funds. I just request the Vice President to sign and then it is returned to the Accounting office for the standard operating procedure...

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MS. FAJARDA. (Continuing)...standard operating procedure in the processing of said vouchers.

REP. ADIONG. According to the testimony of Land Bank, nagkaroon po ng ano, pirmahan. The check that was... The checks that were released were signed by Usec Mercado and Usec Sevilla on February 20, 2023, April 19, 2023, and July 11, 2023. Would you confirm this, Ms. Sunshine?

MS. FAJARDA. I cannot confirm that, Mr. Chair, because, again, I am not involved in the Confidential Funds po.

REP. ADIONG. Okay. Could you, at least, your husband, confirm these dates?

MR. FAJARDA. Your...Your Honor, hindi lang po ako sure doon sa exact date but iyan po iyong month.

REP. ADIONG. Kayo po ba, Mr. Edward, ang payee sa mga tseke na ito?

MR. FAJARDA. Yes, Your Honor.

REP. ADIONG. Okay. So, you confirm that three... three checks ay 37 point ...37 million, tatlo pong ni-release ito. Can we show that again? *(The check was shown on the screen)* Thirty-seven million amounting to 11.2 million pesos, tama po ba? Do you confirm that?

MR. FAJARDA. Tatlo po iyang 37.5 million. Yes, Your Honor.

REP. ADIONG. Okay. Mr. Edward Fajarda, ano po iyong ginagawa niyo after you have encashed this check?

MR. FAJARDA. Your Honor, 'pag nasa akin na po iyong pera... I mean, nasa office na po iyan, tatawagan ko na po ang Security Officer na magdi-disburse po ako sa kanya ng pera.

REP. ADIONG. Okay. But before the disbursement—let me go back to Ms. Fajarda—who ordered you to secure the signature of the Vice President and for other signatures that you needed to affix on the disbursement voucher?

MS. FAJARDA. I'm sorry, Mr. Chair, can you, please, repeat the question?

REP. ADIONG. Who... Who gave you the ano... Who ordered you, who told you to secure these signatures?

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MS. FAJARDA. Mr. Chair, it's part of my job. It's a ministerial...

REP. ADIONG. Yeah. I know, I know, but who told you that? I mean, I know it's part of your job, but I'm sure somebody has to tell you that "We need to secure these checks, get the signatures for disbursement voucher for the release of these checks." Who told you that?

MS. FAJARDA. Ah, the Accounting Office, Mr. Chair, gives us the documents so that it will be signed by the Secretary.

REP. ADIONG. Yeah. But who told the Accounting Office?

MS. FAJARDA. May I ask the specific question, Mr. Chair, as to what you are pertaining to po?

REP. ADIONG. I'm trying to understand the Confidential Fund. It cannot be released without the signature and the approval of the principal, is it correct?

MS. FAJARDA. Ah, that's the question, Mr. Chair? Okay.

REP. ADIONG. Yes. I want to understand, precisely, because your... what you're saying is your job is only technical, attending meetings. That... These are your answers, 'no, when you were asked before. Technical lang iyong ano mo, iyong trabaho mo, and you're also in charge of attending the meetings.

MS. FAJARDA. Mr. Chair, that was before in the City Mayor's Office in 2011 po.

REP. ADIONG. Okay. But what is your job now in the office of the Department of Education?

MS. FAJARDA. My job before in the office of the Department of... Office of the Secretary in the Department of Education in July 2022, Mr. Chair, I was the Head Executive Assistant. In April of 2023, I became the Assistant Secretary of the Office of the Secretary.

REP. ADIONG. I want to understand, 'no, prior to the submission in the securing of these signatures in the vouchers, gusto ko lang po maintindihan, is it the accounting that is telling you na, can you... to secure the signatures?

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MS. FAJARDA. I believe, Mr. Chair, it's the SDO which already informs the Accounting because after... He mentioned a while ago that there is a physical and financial plan. After that, he is the one who informs the Accounting.

REP. ADIONG. Do you have that physical and financial plan with you?

MS. FAJARDA. I do not have a copy of that document, Doc...

MR. FAJARDA. Mr. Chair...

REP. ADIONG. Yeah.

MS. FAJARDA. ...ay, Mr. Chair.

REP. ADIONG. Thank you.

Mr. Chair, may I request that we require the submission of this technical and...

MS. FAJARDA. Physical and financial plan.

REP. ADIONG. Financial plan.... Physical and financial plan, Mr. Chair.

That's a motion so that we can understand how the workings within your Department when it comes to the utilization of the Confidential Funds. We want to understand that because part...

MS. FAJARDA. Mr. Chair, it has already been submitted po, I believe.

REP. ADIONG. Can we ask the ComSec if we can confirm that there is also already a submission of that?

THE ACTING COMMITTEE SECRETARY. Your Honor, the Secretariat has yet to receive or has not yet received the PFP, Your Honor.

REP. ADIONG. So, do you stand by with your answer that you have already submitted that?

MS. FAJARDA. I believe... I believe that it was already submitted by COA, Mr. Chair, because it is part of the submission of the DEPED.

REP. ADIONG. Wala pa? Wala pa, ComSec?

THE ACTING COMMITTEE SECRETARY. None, Chair. What was submitted was part of the Confidential Funds which was also submitted to the Committee on Appropriations, subject of a different subpoena *duces tecum*...

REP. ADIONG. Uh-huh.

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THE ACTING COMMITTEE SECRETARY. ...by this Committee to the Commission on Audit. There was no PFP attached only disbursement vouchers, liquidation reports. Iyong lang po ang maalala ko sa documents namin, Sir.

REP. ADIONG. So, at any rate, I move that we request for the submission of the ano, financial plan, physical and financial plan.

MS. FAJARDA. Mr. Fajarda will submit, Mr. Chair, because he is the one handling the documents po for the Confidential Funds.

REP. ADIONG. I don't care who's going to submit that. We just require your Department to submit it to the Committee. Okay?

Now, let me go back to Mr. Fajarda; I just want to understand. Tama po ba, you, encash personally?

MR. FAJARDA. Yes, Your Honor.

REP. ADIONG. Oo, kasi iyon po sinabi ng ano, Land Bank kanina. So, you are using duffle bags for the encashment of this 37…112 million pesos, 'no, .5?

MR. FAJARDA. Thirty-seven po per quarter, 37.5.

REP. ADIONG. Per quarter, yes.

MR. FAJARDA. Opo.

REP. ADIONG. So, amounting to 112.5 million pesos?

MR. FAJARDA. Yes, Your Honor.

REP. ADIONG. Yeah, that's correct.

So, ano po iyong ginagawa niyo dito before the releasing of this Confidential Funds or the distribution or the payment for rewards or whatever? What... What do you with that? Do you directly use that and go to the areas where you do the payment?

MR. FAJARDA. Your Honor, hindi po. Dini-dis...

REP. ADIONG. Ano bang ginagawa niyo doon?

MR. FAJARDA. Dini-disburse ko lang po iyan sa Security Officer.

REP. ADIONG. Sino po iyong Security Officer ninyo?

MR. FAJARDA. Si...

REP. ADIONG. Right away?

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MR. FAJARDA. Your Honor, tumatawag po ako sa kanya. Then, magkikita po kami sa DEPED.

REP. ADIONG. Saan po kayo nagkikita doon da DEPED?

MR. FAJARDA. Sa DEPED po. Minsan po sa office po ng VPSPG, minsan sa bar. Kung saan po safe, pero along sa DEPED lang po.

REP. ADIONG. Within the DEPED?

MR. FAJARDA. Yes, Your Honor.

REP. ADIONG. Ano pong pangalan nila, noong...

MR. FAJARDA. Colonel Nolasco po, Dennis Nolasco, Colonel Dennis Nolasco po.

REP. ADIONG. Dennis Nolasco. So, hindi niyo ho siya dinadala sa office or dine-deposit?

MR. FAJARDA. Nasa office po siya pero hindi ko po dine-deposit.

REP. ADIONG. Yeah. How big is your office pala? Iyong office space?

MR. FAJARDA. Malaki po, malaki. Ah, hindi naman po kalakihan pero tama lang po.

REP. ADIONG. Okay.

Let me go to, again, go back to Ms. Fajarda. The previous hearing, Ms. Catalan also said to this Committee that the... ikaw ang nag-request sa kanya ng mga... ng mag-sign sa mga liquidation reports for the second... for the first, second, and third quarter noong 2023 pertaining to the Confidential Funds. Is this correct? Do you confirm this?

MS. FAJARDA. No, Mr. Chair, I want to correct that. I did not request her to sign. What I said was prepare the documents because the SDO already has to sign it po. Because Ms. Catalan, before she signs, I believe the SDO has to sign first and then, from the SDO, it's to the principal, and then Ms. Catalan. So, they have to prepare the documents for the signatures of the three signatories.

REP. ADIONG. Bakit hin...kayo po iyong nagre-request sa kanya? Eh, hindi ho ba dapat si Mr. Fajarda because you're the one... you're the payee and you're the one who is supposed to... who knows how you...

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MR. FAJARDA. Your Honor, sa akin po iyong question?

REP. ADIONG. ...you have utilized. Yeah. Bakit si Ms. Sunshine iyong nagre-request kay ano, kay Ms. Catalan instead of you because you're the one who encash the amount and you're supposed to be the one... to know on how exactly these funds are being spent?

MR. FAJARDA. Actually, Your Honor, 'pag nagpirma na po ako sa liquidation, ibibigay ko po kay... kay ASec Shine, siya po kasi ang magpapapirma sa... sa head of the agency.

REP. ADIONG. Ano po?

MR. FAJARDA. 'Pag napirmahan ko na po iyong liquidation, ibibigay ko po sa kanya para papirmahin po niya sa... kay VP Sara.

REP. ADIONG. So, everything goes to Ms. Fajarda?

MR. FAJARDA. Basta po... Basta po kay... 'pag kay VP na ang pipirma, sa kanya po muna dumadaan.

REP. ADIONG. Okay.

Ms. Fajarda, do you ask Ms. Catalan to sign the liquidation report without even providing her any attachment?

MS. FAJARDA. The SDO will be the one to answer that, Your Honor.

REP. ADIONG. No. Because that's what Ms. Catalan said in the previous hearing, that you require her to sign the liquidation report without even giving... you know, showing her any acknowledge receipts... ay, acknowledgment receipts, yes, that's correct.

MS. FAJARDA. Oo. I'm going to correct that again, Your Honor, I did not request her to sign...

(MS. RUTH T. PALLES TOOK OVER)

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MS. FAJARDA. (Continuing)...request her to sign. What we requested was for the papers to be prepared already but not for her to sign anything, Your Honor.

REP. ADIONG. Yeah, but if she does not sign, what will happen, 'di ba? Hindi magpu-push through iyong, ano, iyong...iyong liquidation report. Is it correct?

MS. FAJARDA. Yes, Your Honor. But...

REP. ADIONG. Yeah. But that's why...

MS. FAJARDA. ...it's the SDO, Your Honor, which actually explains the accounting on how the liquidation report is to be...

REP. ADIONG. Yeah. But according to...yes...

MS. FAJARDA. ...accomplished...

REP. ADIONG. ....I know. I know. But supposedly dapat siya. But according to Ms. Catalan, you're the one who goes to her office and then asked her to sign without even showing her the...without even showing her acknowledgement receipts? Is that correct?

MS. FAJARDA. No. its not correct, Your Honor. Again, I am going to correct that, I did not ask her to sign. We just...we just request for the documents to be prepared, all the documents for the attachment of the liquidation.

REP. ADIONG. So you have nothing to do with securing the signature of Ms. Catalan, is that what you're saying?

MS. FAJARDA. Yes, Your Honor.

REP. ADIONG. You have nothing to do with it?

MS. FAJARDA. Yes, Your Honor.

REP. ADIONG. Okay. Ms. Fajarda...Ms. Fajarda, 'di ba dapat ikaw iyong nagsa-submit ng liquidation report because you're the payee?

MR. FAJARDA. Nagsa-submit...Your Honor, saan nagsa-submit sa?

REP. ADIONG. Nagsa-submit ng liquidation, preparing for the liquidation report.

MR. FAJARDA. Kanino po? I mean...

REP. ADIONG. For the liquidation report of the confidential funds.

MR. FAJARDA. You mean sa COA po?

REP. ADIONG. Yeah.

MR. FAJARDA. Ang...

REP. ADIONG. Prior to that for the securing of the securing of the signatures, hindi ho ba, what is your participation? Kasi ang sabi ni Ms. Catalan dito,

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I just want her...gusto ko pabangga iyong testimony ni Ms. Catalan for us to really understand kasi mukhang within the workings of your office parang somebody is lying. Usec Mercado says na you are asking her to sign the checks, corrobated with Ms. Catalan saying that Ms. Sunshine Fajarda is the one requiring Ms. Catalan to *sign the signatures, even you gave her that envelope. Iyong sinasabi nilang white* envelopes na may mga amounts naka-enclose doon sa mga envelopes. So I'm just trying to understand your participation, Ms. Sunshine, 'no, Fajarda, gusto ko lang maintindihan. Supposedly, dapat iyong asawa mo as the payee will be the one to ask Ms. Catalan to sign the liquidation report kasi siya nga po iyong payee and he's the one more knowledgeable on how these funds are being spent. Now, gusto kong malaman iyon, is it you or is it Miss... Mr. Fajarda?

MR. FAJARDA. Your Honor, ganito po kasi iyan, kapag nagpirma na po ako sa liquidation report, ibibigay ko po kay Sunshine and then papipir...siya po kasi ang magpapapirma kay VP Sara.

REP. ADIONG. Ano po?

MR. FAJARDA. Siya po ang magpapa-sign kay VP Sara. Basta po ang pipirma po ay si VP Sara, dadaan po muna sa kanya.

REP. ADIONG. Si Ms. Sunshine?

MR. FAJARDA. Opo. Sa kanya po ang papers.

REP. ADIONG. Mr. Chair, maybe, perhaps, in the next Committee hearing I would be...I would pursue a request... asking questions once we have the financial plan, fiscal plan covering...

MS. FAJARDA. Physical and financial plan...

REP. ADIONG. ...both the physical and financial plan covering the confidential funds because it would give us more information and knowledge on how the workings within that department...your department insofar as the securing of signatures, releasing of disbursement vouchers and ultimately the releasing of these checks. I have trouble, Mr. Chair, understanding which role, tasks, are given to between this...the couple Ms. Sunshine and Mr. Fajarda. So gusto ko lang pong malaman prior to that I would just like to, hopefully by next time, request Undersecretary Mercado to come. Maybe we can invite her again. Ms. Catalan, also, if we can invite her again so that we can finally really shed light on these questionable dealings and transactions. Ms. Usec Mercado is not around so it's

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not...gusto ko sana siyang tanungin. But since she's not here and Ms. Catalan, it would be hard na ibangga iyong nga testimony...

THE CHAIRPERSON. ComSec, may we know if Usec Mercado is present?

THE ACTING COMMMITTEE SECRETARY. Usec Mercado, was...former Usec Mercado was invited but she is not here. For Ms. Catalan, I believe she's present, Your Honor.

THE CHAIRPERSON. Ms. Catalan.

THE ACTING COMMITTEE SECRETARY. Can you please take your seat Ms. Rhunna Catatan? Umalis na daw po.

REP. ADIONG. Maybe in the next hearing, Mr. Chair.

THE CHAIRPERSON. Okay.

REP. ADIONG. And I would like to reserve my...and avail of my...avail of the interpellation once Usec Mercado and Ms. Catalan are both present in the next hearing. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. ADIONG. Thank you, Ms. Fajarda. And thank you, Mr. Chair. Thank you.

THE CHAIRPERSON. Thank you, Honorable Zia Alonto Adiong.

REP. JUDE A. ACIDRE. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Jude.

REP. ACIDRE. Just a brief interjection para hindi ho mawala iyong train, 'no, ng mga tanong po ni Congressman Zia.

Kay Mr. Fajarda, gaano po kayo katagal na SDO sa DEPED or at least empleyado sa DEPED?

MR. FAJARDA. Nag-start po ako August 2022.

REP. ACIDRE. So mga dalawang taon din po, ano?

MR. FAJARDA. Opo.

REP. ACIDRE. Sa panahon pong iyong mayroon bang pagkakataon na kayo po ay nag-reach out sa mga principals, superintendents, mga regional directors, o empleyado ng DEPED para humingi po ng kanilang mga bank accounts ng mga empleyadong ito?

MR. FAJARDA. So superintendent po, Your Honor.

REP. ACIDRE. Yes, that's the reason exactly why I'm asking, Mr. Chair, because may mga kumakalat pong photos sa social media involving exchanges

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between iyong mga superintendent po sa Region VII ang mga messages...can we request the Secretariat baka puwede pong ma-flash.

THE CHAIRPERSON. Secretariat.

REP. ACIDRE. Itong messages na ito nagme-mention na may pangalang Edward from the CO, which I think refers to central office or OSEC sa pagkakaintindi ko po ito po ay Office of the Secretary. Can we ask the Secretariat to show it? Mayroon pa po and then the next. May ipapakita po akong numero sa inyo, ilalapit ko po. Mr. Chair, with your permission, just for him to confirm.

THE CHAIRPERSON. Please.

REP. ACIDRE. Mr. Chair.

THE CHAIRPERSON. Congressman Acidre.

REP. ACIDRE. Mayroon po akong pinakitang number kay Mr. Fajardo at sabi po niya, eh, malamang sa hindi iyon po ay pag-aari niyang number.

THE CHAIRPERSON. Fajarda.

REP. ACIDRE. Ah, Mr. Fajarda. Na itong number po ay sa kanya po.

THE CHAIRPERSON. Do you confirm, Mr. Fajarda?

MR. FAJARDA. I confirm po.

THE CHAIRPERSON. Yes, okay.

REP. ACIDRE. At dahil po sa mga messages na ito sinasabing si Edward Fajarda...iyong next na slide...next na chat, ay humihingi ng bank account at bank details ng mga empleyado. Siguro sa salitang Bisaya po iyong message, parang sinasabi po, "Ito iyong sinabi ko sa inyo sa blurred iyong lugar na mayroong tatawag sa inyong Edward, pakibigay ng inyong account number, legit po iyan. God bless."

I am showing you also...next, I also show you a screen cap of the portion of the affidavit of former Usec Mercado, a former employee of DEPED. Basahin ko po, "Number 5. Although the exact date evades recollection, sometime during the course of my tenure with the DEPED, a member of my staff informed me that an inquiry was made by one of our officers in the field that Mr. Fajarda had made inquiries about the bank accounts of several individuals, and divulging such information to Mr. Fajarda was permitted. My office confirmed that it was upon the instruction of the Office of the Secretary. Evidently, it would appear that Regional Directors and other employees on the field would also receive sums on top of their regular salaries."

Mr. Fajarda, bakit po kayo humingi ng mga bank details?

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MR. FAJARDA. Mr.. Chair, ang nakalagay po kasi dito ay regional directors sa pag… ah, superintendent

REP. ACIDRE. Pero ang sinasabi ninyo po, sino po iyong hiningian ninyo.

MR. FAJARDA. Superintendent po, superintendent po.

REP. ACIDRE. *Whether superintendent or regional directors, bakit po* kailangang humingi ng personal bank details?

MR. FAJARDA. Actually po, I was instructed by VP Sara.

REP. ACIDRE. Based po sa instruction ni VP Sara?

MR. FAJARDA. Yes, Your Honor.

REP. ACIDERE. Nagpapadala po ba kayo ng pera sa mga accounts na ito?

MR. FAJARDA. May napadalhan po ako pero hindi po… I mean, I mean, hindi siya lahat.

REP. ACIDRE. Hindi lahat ng superintendents?

MR. FAJARDA. Yes, Your Honor.

REP. ACIDRE. Paano po pinipili…

(MS. RHUPA D. RAMIL TOOK OVER)

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REP. ACIDRE. (Continuing)...Paano po pinipili kung sino ang padadalhan at hindi padadalhan?

MR. FAJARDA. Sa pagkakaalam ko po, iyon pong nagbigay ng mga account numbers. Kasi, during po kasi sa pag-iikot ni VP Sara, nakita po niya doon na iyon pong superintendent gumagastos po ng sariling pera nila sa kanilang office fieldwork po nila.

REP. ACIDRE. Pero kung...Pero, Mr. Fajarda, kung titingnan mo sa screenshot, iyong lahat ho ng superintendent sa Region VII ay inyo pong kinontak at hiningan, ibig sabihin silang lahat ho nabigyan?

MR. FAJARDA. Your Honor, actually, hindi ko kilala lahat ng superintendent. I'm not sure kung...basta ang alam ko lang po, hindi po lahat.

REP. ACIDRE. So, granted, 'no, kung ano iyong sinabi niyong reply mo. Ang tanong ko po, kapag nagpapadala po kayo ng pera dito, personal account niyo po ang ginagamit or official account ng DEPED?

MR. FAJARDA. I mean, account number po nila.

REP. ACIDRE. Account number nila. Saan po nanggagaling iyong pera na ipinapadala po ninyo?

MR. FAJARDA. Ibinibigay po iyon sa akin ni VP Sara.

REP. ACIDRE. Si VP Sara mismo, hindi through Atty. Sunshine?

MR. FAJARDA. Si VP Sara po pagka...iyon pong...for that specific instruction.

REP. ACIDRE. So, ito pong lahat ng pagkakataon, kapag naging panauhin po namin ang mga superintendents at regional directors, we would expect that that would be the response, 'no, na hindi ho lahat at hindi po regular?

MR. FAJARDA. Hindi po lahat kasi, I mean, kasi sobrang dami po niyan at hindi po regular.

REP. ACIDRE. Okay. Iyon lang po, Mr. Chair.

MR. FAJARDA. Thank you po.

THE CHAIRPERSON. Yes. The Honorable Dan Fernandez is recognized.

REP. FERNANDEZ. Thank you so much. After 10 hours. Maraming salamat po, Mr. Chairman, but maikli lamang po ito.

Since wala naman...tatlo lang iyong taong nakakaalam ng confidential funds, si VP Sara, si Mr. Ortonio, at saka si Gina Acosta. Since wala na si Gina Acosta, wala na rin si VP Sara, ikaw na lang, Mr. Ortonio, ang natitira dito kaya ikaw na lang ang tatanungin ko.

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According kay Atty. Lopez, Mr. Ortonio, people who should be asked about confidential funds ay ikaw at si Gina Acosta, is this correct?

MR. ORTONIO. Your Honor, first of all, I would like to clarify that...

REP. FERNANDEZ. Hindi. Sagutin mo muna iyong tanong, Mr. Ortonio. Kasi sinabi ni Atty. Lopez that the people that should be asked about confidential funds ay ikaw, Gina Acosta and the Vice President, is this correct?

MR. ORTONIO. In terms of the information on the confidential funds, I'm not privy to all the information pertaining to...

REP. FERNANDEZ. No. No. We are talking about the confidential funds. Confidential funds lamang po ang pinag-uusapan natin and it was manifested by Atty. Lopez, under oath, that the person that is responsible for confidential funds ay ikaw, si Gina Acosta, and the Vice President herself. So, you are now under oath, would you confirm the statement of Atty. Lopez?

MR. ORTONIO. Okay.

REP. FERNANDEZ. Yes or...Iyon lang naman ang...ang tinatanong ko lang kung tama iyong sinabi ni Atty. Lopez, kung kayong tatlo ang nakakaalam sa confidential funds. Tama ba ang sinabi ni Atty. Lopez? Yes or no po? I mean, napakasimple ng tinatanong ko. Tama po ba iyong sinasabi ni Atty. Lopez?

MR. ORTONIO. No, Your Honor. Because I'm...

REP. FERNANDEZ. So...Wait. Kung no ang sagot po ninyo, hindi lamang kayo ang nakakaalam tungkol sa confidential funds?

MR. ORTONIO. No, Your Honor. I am not privy to the information or activities in the use of the confidential activities. However, I do know some information because, in the crafting...in the drafting of the replies to the AOMs that the Office of the Vice President received, I got information from the Special Disbursing Officer and the Security Officer. That's the only extent of information that I know pertaining to the confidential funds.

REP. FERNANDEZ. So, in other words, partly, the totality of the confidential funds, alam mo?

MR. ORTONIO. Partially...

REP. FERNANDEZ. But the totality of it, not?

MR. ORTONIO. Yes. That is correct, Your Honor.

REP. FERNANDEZ. Okay. So, binanggit din dito ni Atty. Lopez sa last hearing na iyong approach ni Vice President is compartmentalized, 'no, iyon iyong approach

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niya. At sinasabi niya nga dito, and because of this procedure, which was supposed to use by Atty. Poa in the DEPED, that's the reason why si Atty. Lopez was not consulted, in one way or the other, pagdating po doon sa confidential funds.

Mr. Ortonio, ikaw iyong the only person who accompanied sa Land Bank ni Ms. Acosta, is this correct?

MR. ORTONIO. That's correct.

REP. FERNANDEZ. But a while ago, you changed your testimony na mayroon na kayong kasama na dalawang military guy, am I correct?

MR. ORTONIO. Yes, VPSPG guard to accompany us but it was only me and…

REP. FERNANDEZ. Yes.

MR. ORTONIO. …Ms. Gina Acosta who encashed the check.

REP. FERNANDEZ. And bilang Chief of Staff, 'no, Assistant COS, you work directly under the Office of Atty. Lopez, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. FERNANDEZ. All right. So, lumalabas dito na kung walang kinalaman si Atty. Lopez sa confidential funds when she delivered this in the last hearing, so basically ang may kinalaman, ikaw, si Acosta and the Vice President?

MR. ORTONIO. Your Honor, I would like to…

REP. FERNANDEZ. Pero what I'm trying to say is that, partly, you know about the confidential funds, right?

MR. ORTONIO. Again, Your Honor, I only know of the confidential funds because I was the one who drafted the replies to the AOM.

REP. FERNANDEZ. Yes. Correct.

MR. ORTONIO. But prior to…

REP. FERNANDEZ. Hindi…No…Mr. Ortonio, that is precisely what I'm trying to point out that, partly, you know about the confidential funds.

MR. ORTONIO. That's…

REP. FERNANDEZ. And, in accordance with what was delivered by Atty. Lopez, lumalabas that wala siyang alam at ang nakakaalam, partly of the confidential funds, ikaw, Gina Acosta, and the President…and the Vice President? Tama?

MR. ORTONIO. Again, Your Honor, I would like to qualify my answer. Yes, I partially know about information on the confidential funds but only because I drafted the replies to the AOMs. Prior to the AOMs, I do not know of the activities that…where the confidential funds were used.

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REP. FERNANDEZ. Yes. I understand that Mr. Ortonio.

Now, noong pumunta po kayo ng Land Bank, ano, at in-encash niyo po iyong pera, together with Gina Acosta, alam ba po...alam po ba ito ni Atty. Lopez?

MR. ORTONIO. I'm not sure if Ms. Acosta mentioned this to Atty. Lopez...

REP. FERNANDEZ. *But you are the Assistant Chief of Staff?*

MR. ORTONIO. Yes.

REP. FERNANDEZ. And this is your responsibility to tell your boss that I'm going to encash a 125 million confidential funds. So, alam ba ito ng COS ni VP?

MR. ORTONIO. I did not mention this one to...

REP. FERNANDEZ. So, wala siyang alam?

MR. ORTONIO. As far as I know, Your Honor, Sir.

REP. FERNANDEZ. So, hindi alam ni...ni Lopez, ni Zuleika, that you are going to withdraw 125 million?

MR. ORTONIO. Personally, Your Honor, I did not mention it to her.

REP. FERNANDEZ. Bakit hindi mo sinabi?

MR. ORTONIO. Because the role of having to encash the check, Your Honor, is with the SDO, and this is already with the instruction or in coordination with the Vice President.

REP. FERNANDEZ. But would you...would you agree with me that being the COS and a Deputy COS, you have the responsibility all over your subordinates, am I correct? 'Di ba, ako Chief of Staff, eh? Ako responsible sa boss ko, eh. Now, you are going to withdraw 125 million without you telling the Chief of Staff?

MR. ORTONIO. Again, Your Honor, I did not inform Miss...Atty. Lopez during that time.

REP. FERNANDEZ. Talagang hindi niyo in-inform or itinatago niyo lamang si Atty. Lopez?

MR. ORTONIO. Again, Your Honor, I...

REP. FERNANDEZ. Wala bang information or wala bang direction or wala bang directive to protect the COS at all cost?

MR. ORTONIO. No, Your Honor. No.

REP. FERNANDEZ. Okay. So, noong pumunta kayo sa Land Bank, hindi niya alam, at hindi kayo hinanap ni Atty. Lopez kung bakit kayo wala sa opisina at walang malay at walang pakialam si Zuleika kung bakit wala kayo sa opisina? And when the

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125 million were brought doon sa opisina, wala pa ring alam si COS? Is that what you are trying to imply to this Representation?

MR. ORTONIO. That I cannot answer, Your Honor. But, again, as mentioned earlier, I...during that day when we encashed the money, I did not mention it to Atty. Lopez.

REP. FERNANDEZ. Okay. So, talagang paninindigan...

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REP. FERNANDEZ. (Continuing)...talagang paninindigan ninyo na si Attorney Lopez ay walang kinalaman doon sa 125 million...

MR. ORTONIO. As far as I...

REP. FERNANDEZ. ...Confidential Funds.

MR. ORTONIO. ...As far as I know, Your Honor, I believe she is not aware of...

REP. FERNANDEZ. At wala siyang alam. Kasi iyon ang sinasabi niya, eh, wala siyang alam sa Confidential Funds. Lahat, 'di ba? Correct?

MR. ORTONIO. That's correct, Your Honor. And same way with me, Your Honor, prior to the issuance of the AOMs, I did not also know of any of the activities where the Confidential Funds were used.

REP. FERNANDEZ. Okay. So, paninindigan niyo talaga na walang alam si Attorney Lopez. So, I just wanted to show you something, 'no, ito po ay noong September 4, 2023 hearing sa Senate... Senate Committee on Finance with regard to the OVP's proposed budget for 2024. Panoodin lang po natin iyong clip, 'no.

In this particular segment, the Vice President Duterte was asked by Senator Risa Hontiveros about the Confidential Funds. Para makita po natin kung may alam po ba talaga si Attorney Lopez o wala doon sa Confidential Funds. Because ako, I believe that the COS knows about all the Confidential Funds, especially iyong pondong ito na napakalaki, na pinagtatakpan niyo na wala siyang kinalaman.

And remember, Mr. Ortonio, you are under oath, you are under oath. You are the Assistant COS, alam niyo, alam na alam niyo na alam ng Chief of Staff ng Vice President ang Confidential Funds, and I will show you why.

Sige, ilabas po natin. *(The pertinent video clip was shown on the screen)*

All right. If you will notice in here, 'no, Mr. Chairman, Attorney Lopez was always nodding, 'no, and at the same time whispering to the Vice President about the detail of the operation, of the surveillance, particularly in the Province of Bulacan. Having said that, 'no, that he was on top of the situation regarding that incident that happened in Bulacan, so... so much to say that alam din niya ang lahat ng detalye noong Confidential Funds.

Now, tell me, Mr. Ortonio, walang alam si Attorney Lopez sa Confidential Funds?

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MR. ORTONIO. Your Honor, if I may be allowed na to explain. I think…

REP. FERNANDEZ. Hindi, sagutin mo muna then I will allow you to explain it. May alam ba si Attorney Lopez about the Confidential Funds having seen, 'no, iyong kanilang investigation doon sa Senate about an incident, a detailed incident about the operation of the Confidential Funds in Bulacan, particularly, and that guy, Mr. Baloro—nasaan si Mr. Baloro—You were always nodding about the pronouncement of the public… of the Vice President. So, may alam sila, eh, 'di ba?

Now, tell me, may alam ba si Attorney Lopez, yes or no, and then I will allow you to explain.

MR. ORTONIO. Your Honor, I cannot answer if Attorney Lopez knows of confidential… the activities where the Confidential Funds are being used. But…

REP. FERNANDEZ. You have seen… You have…

MR. ORTONIO. …But as far as I know…

REP. FERNANDEZ. …Mr. Ortonio, Mr. Ortonio, you have seen the video, 'di ba?…

MR. ORTONIO. Yes.

REP. FERNANDEZ. …The video will not lie that the Vice President were asking about how many months, 'di ba? Sabi ni ano, ni… ni Attorney Lopez, six months, 'di ba, and she was always nodding about the statements of the Vice President. So, action, 'di ba, that speaks louder than words, 'di ba? So, may alam ba siya, wala?…

MR. ORTONIO. Again, Your Honor…

REP. FERNANDEZ. Based on what you have seen.

MR. ORTONIO. Again, Your Honor, as far…

REP. FERNANDEZ. Based on what you have seen…

MR. ORTONIO. Again, Your Honor…

REP. FERNANDEZ. …mayroon ba siyang alam sa Confidential Fund, particularly on that issue?

MR. ORTONIO. Again, Your Honor, as far as I know, she does not know of any activity as she has mentioned.

REP. FERNANDEZ. Yeah, okay. You're trying to be evasive, ha, Mr. Ortonio. You're trying to be evasive. We are… Again, we are warning you, ha.

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MR. ORTONIO. Again, Your Honor, can I... can I give you a little bit of context on the video that was shown? Can I, Mr. Chair?

REP. FERNANDEZ. Sige, go ahead.

THE CHAIRPERSON. Yes, please continue.

MR. ORTONIO. Yes. The matter that was shared earlier, the one kung saan na mayroong clip na ipinakita, 'no, during the Senate hearing, that case was actually reported to the office, that we recei... that there was an incident where a person was pretending to be from the Vice... Office of the Vice President and nanghihingi ng pera sa mga recipients, and it was reported. And we were able to share it with the VPSPG and they were able to conduct surveillance and monitoring activities. That's the context of the clip that was shown. However, as to whether the Confidential Funds were used for that activities, again, I cannot answer for... for that or I cannot answer if Attorney Lopez knows if that certain incident used Confidential Funds for the monitoring and surveillance of such incident.

REP. FERNANDEZ. Okay. I will show you a letter. Can we show the letter of the COS and also of the Assistant Chief of Staff? Sulat sa COA. *(The pertinent letter was shown on the screen)* Because in here, Mr. Chairman, Mr. Ortonio, kayo ang sumulat ng letter na ito, 'di po ba?

MR. ORTONIO. That's correct, Your Honor.

REP. FERNANDEZ. And your signature appears on this ano, hindi po ba?

MR. ORTONIO. That's correct, Your Honor.

REP. FERNANDEZ. All right. So, sino'ng nagpapirma kay Attorney Zuleika Lopez, ikaw?

MR. ORTONIO. After I got information from the SDO and from the Security Officer, and after having drafted the reply, yes, I had it signed to our Chief of Staff.

REP. FERNANDEZ. So, ikaw ang nagru-route ng letter na iyan?

MR. ORTONIO. For this specific letter, Your Honor.

REP. FERNANDEZ. So, it passed through the SDO.

MR. ORTONIO. It did not pass through the SDO but the information indicated in the letter came from the SDO and from the Security Officer, Your Honor.

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REP. FERNANDEZ. So, with that letter, 'no, signed also… as well by Attorney Zuleika Lopez, may alam siya sa Confidential Fund.

MR. ORTONIO. Again, Your Honor, a little bit of context, she may know because of the information…

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MR. ORTONIO. (Continuing)...because of the information that was shared, but...

REP. FERNANDEZ. She may know?

MR. ORTONIO. Because of the...

REP. FERNANDEZ. Because she signed, she signed the ano, 'di ba?

MR. ORTONIO. Yes, yes.

REP. FERNANDEZ. So, hindi ninyo pa rin...hindi mo pa rin sasabihin sa amin na alam niya iyong pinirmahan niya, her being a lawyer?

MR. ORTONIO. Yes, Your Honor, alam niya kung...

REP. FERNANDEZ. You drafted this letter?

MR. ORTONIO. Yes, I was the one who drafted the letter po, Your Honor.

REP. FERNANDEZ. So, hindi si Zuleika ang nag-draft nito kundi ikaw?

MR. ORTONIO. No, Your Honor.

REP. FERNANDEZ. And then pinapirma mo sa kaniya?

MR. ORTONIO. Yes, Your Honor.

REP. FERNANDEZ. Without that, her reading the content of the letter?

MR. ORTONIO. I'm sure, Your Honor, she read the letter.

REP. FERNANDEZ. So, alam niya? O, kasi sabi mo, "I'm sure, she read the letter." So, alam niya?

MR. ORTONIO. Yes.

REP. FERNANDEZ. So, may alam siya sa confidential fund?

MR. ORTONIO. I believe, Your Honor, based on the letter reply that we drafted.

REP. FERNANDEZ. So, may alam siya?

MR. ORTONIO. Based on the letter that's drafted...

REP. FERNANDEZ. And that's the reason why I'm asking you a while ago kung mayroon siyang alam. And now, in this letter, you agree with me that she knows about the confidential fund?

MR. ORTONIO. She...

REP. FERNANDEZ. So, in other words, Mr. Ortonio, Atty. Lopez was lying?

MR. ORTONIO. Your Honor, I cannot say that Atty. Lopez lied.

REP. FERNANDEZ. Eh, sinabi mo na kanina na may...nabasa niya, eh. Kung nabasa niya, alam na niya ang content. Hindi naman bobo si Atty. Lopez, eh.

MR. ORTONIO. Yes.

REP. FERNANDEZ. She's an intelligent woman, lawyer nga, eh.

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MR. ORTONIO. Yes.

REP. FERNANDEZ. Eh, 'di ba, and the one that...I think when...ako, when I am involved, 125 million, I will read it diligently, 'di ba? Kasi it involves a lot of money, eh, 'di ba?

Alam mo, Mr. Ortonio, alam na alam namin na nagsisinungaling ka pero nagpipigil lang po kami. Ayaw na po naming mag-cite ng...in contempt dito, pero ramdam na ramdam po namin ang pagsisinungaling ninyo. Huwag na po, tigilan na po natin. And kayo na rin ang nagsabi na alam niya, 'di ba, nabasa niya, eh, 'di ba? Sana sinabi mo na lang na pinirmahan lang niya at hindi niya binasa, that I will accept. Pero sinabi mo binasa niya, eh. So, kung binasa niya, naintindihan niya, alam niya ang confidential fund, then she was lying. Yes?

MR. ORTONIO. She knows of the information, Your Honor, after the fact po, after the fact.

REP. FERNANDEZ. All right. Mr. Chairman, medyo wala na po ako sa mood, I'll be yielding other questions. Panay kasinungalingan na po nadidinig natin. Maraming salamat po.

REP. KHONGHUN. Thank you, Cong. Dan.

Next to interpellate is Congressman Valeriano.

REP. ROLANDO M. VALERIANO. Thank you, Mr. Chair.

Kay Mr. Ortonio ulit. Good evening, Sir. Mr. Ortonio, you wrote an undated letter to the Committee in response to the invitation sent to you for the November 20 hearing, tama po? Correct?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. VALERIANO. And you provided an explanation on why you did not attend the hearing prior to November 20, correct?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. VALERIANO. And the reason you provided was that due to a pre-scheduled official travel that was of equal importance and which needed attention considering the numerous activities that the OVP will be conducted in a few weeks, tama?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Mr. Ortonio, where in particular did you go during your travel?

MR. ORTONIO. Initially, Your Honor, I was supposed to go to several sites within Visayas and...

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REP. VALERIANO. Supposed?

MR. ORTONIO. Yes, that's correct, Your Honor, I was supposed to visit several sites in Visayas and Mindanao. I travelled to Cebu on November 11 in the morning, set to visit our satellite office. However, upon arrival to…upon arrival in Cebu, I got the information already that I was already cited in contempt and an order of arrest was already issued to me. And because of fear of my safety, immediately in the afternoon, I thought of having to go to the safest place I could think of. So, I travelled to Davao and…

REP. VALERIANO. It was November?

MR. ORTONIO. That's November 11, November 11.

REP. VALERIANO. November 11?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. VALERIANO. And you have a travel authority, correct?

MR. ORTONIO. Yes, that's correct.

REP. VALERIANO. As the head of the OVP, it was VP Duterte who granted your travel authority?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Aside from VP Duterte, sino pa po iyong ibang signatories sa travel authorities?

MR. ORTONIO. It's just the Vice President.

REP. VALERIANO. Nakita ko na minsan pati kayo yata pumipirma rin kapag…sa baba?

MR. ORTONIO. Yes, for travel authorities for division heads down, it's me who signs their travel authority.

REP. VALERIANO. So, when was the travel authority issued, iyong sa inyo po?

MR. ORTONIO. If I can recall, it's issued on November 6.

REP. VALERIANO. November 6. And no destination, just various places nakalagay?

MR. ORTONIO. Various places, Your Honor, because I was set to visit several sites within Visayas and Mindanao.

REP. VALERIANO. Okay. And the period stated in your travel authority is from November what?

MR. ORTONIO. From November 11 to 15.

REP. VALERIANO. To 15?

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MR. ORTONIO. Fifteen, that's correct.

REP. VALERIANO. And in that...in your letter, sabi ninyo po, you hope that the arrest order and contempt order issued against you be lifted?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Mr. Ortonio, you have not attended any of the hearings of this Committee, except now.

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. And you know, Mr. Ortonio, that the arrest order and contempt order were issued against you because of your non-attendance to the hearing of this Committee, tama po?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. So, how do you expect that the Committee will lift the arrest order against you, hindi pa po kayo uma-attend?

MR. ORTONIO. Your Honor, if I may be given a chance to explain. So, I wasn't able to attend the November 11 Committee hearing, again, based on the reason that I have cited. However, if you can remember, I also sent a commitment that I was supposed to...

REP. VALERIANO. To attend on November 20.

MR. ORTONIO. ...November 20.

REP. VALERIANO. Yes. And you did not attend?

MR. ORTONIO. I was not able to attend, Your Honor, because...if I may be able to properly explain the reason behind my non-attendance last November 20.

REP. VALERIANO. Sige po.

MR. ORTONIO. If you may allow, I prepared a short narrative for me to read. Your Honor, would that be possible?

REP. VALERIANO. Mr. Chair, is that possible, on why he did not attend the hearing on November 20?

REP. KHONGHUN. One minute recess.

The meeting was suspended for less than one minute at 8:12 p.m.

REP. KHONGHUN. Session resumed. Mr. Ortonio.

MR. ORTONIO. Okay. Thank you, Your Honor.

On the day of the hearing, I was fully prepared to participate and present myself before the Committee despite the arrest order issued to me. However, the night before the hearing, I received a call from one of my colleagues who also had a summon. She was in distress, on the verge of a major emotional breakdown and...

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REP. VALERIANO. You're talking of Ms. Acosta?

MR. ORTONIO. Yes, Your Honor.

REP. VALERIANO. Okay.

MR. ORTONIO. And contemplating self-harm because of the stress that the hearings have brought upon her. She sought my support, pleading for me to accompany her instead in the next hearing, which is today. That night, while I reassured her of my support despite my decision to still attend the hearing, her emotional and psychological state weighed heavily on my mind. On the morning of the hearing, I checked on her again and she once again expressed her plea for me to accompany her in the next hearing scheduled instead. It was a difficult decision, but as someone preparing to serve in the mental health profession, I felt compelled to choose the path that safeguarded the life and emotional stability of another person. It was unfortunate that my decision on that day was at the cost of my commitment to attend the hearing. I was pressed with a moral dilemma, and the decision not to attend was born of conscience and welfare of another.

REP. VALERIANO. Sige po.

MR. ORTONIO. So, in gist, Your Honor, that's the reason why I was not able to attend...

REP. VALERIANO. Last November 20?

MR. ORTONIO. Last November 20.

REP. VALERIANO. O, sige po. Okay. Kayo po ay Assistant Secretary...

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REP. VALERIANO. (Continuing)...Assistant Secretary at Assistant COS, Chief of Staff, sa OVP. Tama po?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. When were you appointed?

MR. ORTONIO. I was appointed July 1, 2022.

REP. VALERIANO. How did you apply to secure your position?

MR. ORTONIO. I was one of those former city government officials from Davao who joined the Vice President.

REP. VALERIANO. Ah, you are from Davao?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. So, would it be correct to say na iyong top official ng OVP ay nahahati sa dalawang klasipikasyon: one is iyong mga talagang andoon na, dinatnan ninyo na; and the other is from Davao?

MR. ORTONIO. Yes, there were some of us who came from Davao, Mr. Chair.

REP. VALERIANO. I mean, kasama ni Vice President pagpunta ng OVP?

MR. ORTONIO. Ah...yes. Yes, Your Honor.

REP. VALERIANO. So, you confirm na dati kang taga-Davao LGU?

MR. ORTONIO. Yes. I used to be an employee from the City Government of Davao.

REP. VALERIANO. So, kasama mo si Vice President pagdating mo ng Office of the Vice President. Tama po?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Gaano kayo katagal nagtrabaho sa Davao LGU?

MR. ORTONIO. I've been with the city government since 2008. So, 2008 up until 2013; and then, 2016 to 2022. So, that's about roughly around mga 12 years siguro, Your Honor.

REP. VALERIANO. Ano-ano po iyong naging posisyon ninyo sa Davao noong nandoon kayo?

MR. ORTONIO. I was first her Chief of Staff when she was the Vice Mayor. And then, for her first term as City Mayor, I was her Chief of Staff. And then, when she returned to service as Mayor in 2016, I came in as the Officer-in-Charge of the Davao City Investment Promotion Center. And then, in 2019, I was appointed as Department Head for the Human Resource Management Office of the city government.

REP. VALERIANO. Up to 2022?

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MR. ORTONIO. Up to 2022.

REP. VALERIANO. And in 2022 when she became Vice President, naging Assistant COS na po kayo?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. So, ano po iyong tasks ninyo bilang Assistant Chief of Staff?

MR. ORTONIO. My role as Assistant Chief of Staff, I provide overall supervision for the internal affairs of the Office of the Vice President. So, that includes overseeing the administrative and financial services and the strategy management office, together with the two directors under it.

REP. VALERIANO. So, would it be correct na, as Assistant COS, you hold the position of trust and confidence sa OVP?

MR. ORTONIO. Yes, Your Honor. I believe so.

REP. VALERIANO. Pinagkakatiwalaan po kayo ni Vice President sa mga sensitibong bagay, tama po ba, as Assistant COS?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. At kasama rito iyong sa budget and expenditure, hindi po ba?

MR. ORTONIO. That's part of my role, Your Honor, as the Assistant...

REP. VALERIANO. That's part of your role.

MR. ORTONIO. ...as Assistant Chief of Staff.

REP. VALERIANO. So, maraming delegated authorities sa inyo, kagaya ng approving authority for disbursement beyond 1 million?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Naka-bond po kayo doon, eh, ano? Hindi?

MR. ORTONIO. Uhm, as signatory, no, Your Honor. As signatory.

REP. VALERIANO. So, puwede nating sab...

MR. ORTONIO. Ah, just a quick correction, Your Honor: yes.

REP. VALERIANO. Yes?

MR. ORTONIO. As authorized signatory, yes po.

REP. VALERIANO. Oo.

So, puwede nating sabihin, parang alter ego po kayo ni Vice President?

MR. ORTONIO. Uhm, I wouldn't say that alter ego, but more of there are certain tasks that are entrusted upon me.

REP. VALERIANO. Sige po.

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Sabi ninyo, nag-o-oversee kayo ng internal and administrative affairs ng opisina, including matters involving the OVP's Bids and Awards Committee.

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Kasama po iyon?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Ano po ibig sabihin ninyo na nag-o-oversee kayo ng Bids and Awards Committee ng OVP?

MR. ORTONIO. I'm the Chair for the Bids and Awards Committee for the Office of the Vice President.

REP. VALERIANO. You are the Chair?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. VALERIANO. Hindi po ba iyon iyong head of procuring agency, or iyong HOPE?

MR. ORTONIO. No, Your Honor. That's...

REP. VALERIANO. Iba pa iyon?

MR. ORTONIO. It's a different role po, Your Honor.

REP. VALERIANO. So, despite the fact that...mayroon pa ring HOPE?

MR. ORTONIO. Yes, we do have a HOPE at the Office of the Vice President.

REP. VALERIANO. But you are the overall in charge sa Bids and Awards Committee?

MR. ORTONIO. Just for the Bids and Awards Committee, I'm the Chair po.

REP. VALERIANO. Hindi po ba ano ito, this is in violation of the Government Procurement Act, dahil mayroon nang HOPE, mayroon pa ring overall in charge, ha?

In fact, Mr. Ortonio, for an Assistant Chief of Staff, you seem very involved sa madaming fund-related matters ng OVP: from budget preparation, to procurement, to disbursement, and even sa liquidation of confidential expenses. Tama po ba? After all, ano ito, internal affairs ito.

MR. ORTONIO. I'll address the comment, Your Honor, in three parts po. Number one, on the matter of what you mentioned if it's not in consistent in terms...if there is a violation because there's a BAC Chair and a HOPE, that's a standard for all government offices po, Your Honor. There's a BAC Chair, and then there's a head of procuring entity.

REP. VALERIANO. Overseeing the BAC?

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REP. ADIONG. Mr. Chair, with due respect...with the indulgence, with due respect to Cong. Valeriano, may I just go back to a few questions that Congressman Valeriano asked Mr. Ortonio.

REP. KHONGHUN. Cong. Valeriano, okay lang?

Go ahead, Congressman Zia.

REP. ADIONG. Yes. Is it...tama po ba iyong pagkadinig ko when Congressman asked you about the reason why you did not attend the previous hearing, that you went to a safest place in Davao?

MR. ORTONIO. That was for the November 11...

REP. ADIONG. Hearing?

MR. ORTONIO. ...hearing. That's correct, Your Honor. That's for the November 11.

REP. ADIONG. So, it's not...it's not about the travel order that you secured from your principal from the Vice President?

MR. ORTONIO. I'd like to just provide a recap po.

I received...I have a travel order signed on November 6. So, I am set to attend several activities in Visayas and Mindanao from November 11 to 15. I flew to Cebu on November 11 in the morning, but upon arrival in Cebu and ready to proceed already with all the activities that I needed to do, but when I arrived in Cebu, I already got the information that an arrest order has already been issued to me. And because of the arrest order...

REP. ADIONG. Yes, that's because of the non-attendance. Because of your non-attendance in the previous Committee hearings...

MR. ORTONIO. That's correct.

REP. ADIONG. ...that's the reason why we issued the arrest order. But you mentioned about going to the safest place in...

MR. ORTONIO. Yes.

REP. ADIONG. ...in Davao.

MR. ORTONIO. Because I...

REP. ADIONG. Are you...let me ask...kasi the last...gusto ko lang pong pagtagpi-tagpiin, ano, Mr. Ortonio.

Ms. Sanchez, you said earlier that the absence of Mr. Ortonio was due to a travel order that was issued for them, or to them?

MS. SANCHEZ. Ah, Mr. Chair...

REP. KHONGHUN. Yes, go ahead.

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MS. SANCHEZ. Okay.

REP. ADIONG. Gusto ko lang malaman iyong eksaktong konteksto, ha?

MS. SANCHEZ. I did not state that, but I only reported that there was a travel order issued.

REP. ADIONG. On the date that Mr. Ortonio mentioned?

MS. SANCHEZ. The coverage of the travel order is what Mr. Ortonio mentioned.

REP. ADIONG. So, can you...can you categorically state to this Committee that you went in hiding because of the arrest order, and not precisely because of the travel order that's why you were not attending this Committee hearing?

I just want to put that into proper context.

MR. ORTONIO. So, if I may, Your Honor...

REP. ADIONG. Kasi dalawang issue po iyan, eh. You were...you went to the safest place. The implication, and the way I understood it is, you were afraid, and that's why you were hiding, and not so much because of your travel order, officially, that you are attending a specific activity. Which is which?

MR. ORTONIO. Okay.

Just to give a brief explanation, Your Honor: I intended, really, to attend to all the activities that were assigned to me for November 11 to 15. I intended to complete all those activities. However, when I arrived in Cebu, I already got information of the arrest order. And, human nature, and someone who is not used to being...to having been issued with an arrest order, automatic human instinct is that, I needed to keep myself safe. So, immediately on that day, I tried to look for a flight for me to be able to fly to Davao.

REP. ADIONG. So...

MR. ORTONIO. So, on that day in the late afternoon, I flew to Davao. But...

REP. ADIONG. Okay. So...I get...I get you there...

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REP. ADIONG. (Continuing)...I get you there. So, your absence on the November 11 was due to the fear that you felt and not so much about the travel order.

MR. ORTONIO. No, Your Honor, it's really more on the travel order because the travel order was already issued to me November 6 pa po. That was before we got the subpoena.

REP. ADIONG. Until when is the travel order pala?

MR. ORTONIO. It's 11 to 15. November 11 to 15.

REP. ADIONG. Okay. I just want to be clarified, Mr. Chair, because doon ako naguluhan. Gusto ko lang malaman kung ano iyong absence ni Mr. Ortonio kasi ang reason that was given to this Committee is because you were given, issued a travel order.

MR. ORTONIO. Travel order. It's for the travel order, Your Honor.

REP. ADIONG. Thank you, Mr. Chair.

MR. ORTONIO. Thank you.

REP. KHONGHUN. Thank you, Cong. Zia.

Congressman Valeriano?

REP. VALERIANO. Thank you, Chairman.

Mayroon po akong ipakikita sa... ComSec, paki flash lang po iyong letter. Can you confirm po na kung kayo ang nakapirma dito sa documents? *(The pertinent document was flashed on the screen)* Iyan po, letter to DBM, dated September 19, 2022, in connection with the request for augmentation of budget, including confidential fund, signed Lemuel G. Ortonio. Kayo po iyon.

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Another, Statement of Appropriation Allotment. *(The pertinent document was flashed on the screen)* Hayan po. Kayo rin po?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Sige po, paki roll lang. Financial Accountability Report as of October 18, 2022. *(The pertinent document was flashed on the screen)* Kayo rin po?

MR. ORTONIO. That's correct, Your Honor.

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REP. VALERIANO. Request for authority to open bank account. Again, Disbursement Voucher for Confidential Fund, 125 million per voucher, signed Ortonio. *(The pertinent documents were flashed on the screen)* Kayo rin po?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. The check. Okay. Sige pa, ComSec. Iyan po. Would you confirm that you were also involved in responding to the COA observation of the OVP's liquidation of its Confidential Fund?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Involved din po kayo roon, sa explanation?

MR. ORTONIO. Yes, I drafted the replies to the COA's AOM.

REP. VALERIANO. So, kayo po.

MR. ORTONIO. Yes, Your Honor.

REP. VALERIANO. Kayo ang pumirma ng disbursement voucher na iyan? Ikaw rin ba ang nag determine na sa allotted amount sa inyo ay kukunin ninyo tig 125 million bawat quarter?

MR. ORTONIO. Your Honor, that was the proposed budget allocation for the Confidential Funds, Your Honor.

REP. VALERIANO. Who proposed it?

MR. ORTONIO. It's the office na po. It's an organization request, Your Honor,

REP. VALERIANO. Ano po iyong basehan niyo sa 125 million per quarter kasi kayo ang nakapirma roon, eh?

MR. ORTONIO. Can you give me a few minutes lang po, Your Honor, just check with our Finance.

REP. VALERIANO. Mr. Chair, the resource person is asking for a minute suspension.

REP. KHONGHUN. One minute suspension.

The meeting was suspended for less than one minute at 8:28 p.m.

REP. KHONGHUN. Session will now resume.

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REP. VALERIANO. Sige po, Mr. Ortonio. Kasi kayo iyong Assistant Chief of Staff, hindi naman kayo iyong SDO, 'di po ba?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Or does it mean na kapag mula sa iyo iyong request utos ito ng Vice President, being the Assistant Chief of Staff?

MR. ORTONIO. Yes, that's based on a request, based on instruction.

REP. VALERIANO. Salamat po.

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. VALERIANO. So, noong August 22, kakaupo lang ni Vice President, nag-request kayo sa OVP ng budget augmentation which included a request for confidential fund, tama po?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. At that time wala namang naka appropriate na Confidential Fund sa OVP under the GAA 2022, tama?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. In fact, walang appropriation for Confidential Fund ang OVP sa GAA ng buong administrasyon ni dating Vice President Leni Robredo for the past six years. Wala silang Confidential Fund, tama po?

MR. ORTONIO. Based on the information, Your Honor, no, Your Honor.

REP. VALERIANO. Wala. Kahit sa pamumuno ng dating Vice President Jojo Binay, siguro isang beses nagkaroon.

MR. ORTONIO. Based on the records that we have on file, Your Honor, they did have.

REP. VALERIANO. Mayroon isa.

MR. ORTONIO. Yes.

REP. VALERIANO. So, masasabi natin na noong nag-request kayo ng confidential fund para sa OVP, walang gaanong experience iyong mga... iyong nandiyan na gaya nila Chief Accountant Villadelrey, Director Rosalyn Sanchez. Kung baga, iyong ins and outs ng Confidential Fund hindi nila masyadong kabisado dahil wala namang Confidential Fund ang Vice President before, tama po?

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MR. ORTONIO. I cannot fully answer for that one, Your Honor. Maybe some of those who were with the previous Vice Presidents may be able to answer.

REP. VALERIANO. Pero ang may karanasan, ang may karanasan dito sa Confidential Fund iyong mga galing ng Davao group tulad ni Usec Zuleika Lopez, ikaw, sila Ms. Acosta, tama po ba? Dahil may Confidential Fund na sa Davao, then you go to OVP, tama?

MR. ORTONIO. Yes, Your Honor.

REP. VALERIANO. Naalala niyo po ba itong letter na ito, September 19—ComSec, paki flash nga po—ipinadala ninyo sa DBM. *(The pertinent document was flashed on the screen)* Kayo rin po iyong nakapirma dito.

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Isa sa mga attachments sa letter na ito iyong Physical and Financial Plan, tama po?

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. At ang Physical and Financial Plan na ito ay ginagamit bilang supporting docs para sa 250-million request for Confidential Fund ng OVP noong 2022.

MR. ORTONIO. That's... That's correct, Your Honor.

REP. VALERIANO. At ito po ay pirmado and approved by Vice President Sara Duterte.

MR. ORTONIO. The Physical and Financial Plan, Your Honor?

REP. VALERIANO. Yes.

MR. ORTONIO. That's correct.

REP. VALERIANO. Nakasaad po doon na ang 250 million na Confidential Fund ay gagamitin sa fourth quarter ng 2022 para sa good governance program ng OVP, tama po?

MR. ORTONIO. That's correct, Your Honor, based on the document that was given to us.

REP. VALERIANO. Ibig sabihin 250 million sa loob ng three months iyong estimate ninyo or 90 days, fourth quarter ng 2022, tama po?

MR. ORTONIO. That's correct, Your Honor.

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REP. KHONGHUN. Cong. Valeriano, mayroon lang akong… in connection sa mga tanong mo kay Mr. Ortonio.

Mr. Ortonio, bakit ikaw ang napiling mas pumipirma ng mga dokumento, ikaw iyong Assistant Chief of Staff? Bakit si Attorney Zuleika, hindi siya iyong nabigyan ng responsibilidad na pumirma ng mga vouchers na katulad ng mga pinipirmahan mo? Bakit?

MR. ORTONIO. For all finance… For all finance-related… For all finance-related documents, it's the Assistant Chief of Staff because part of the… part of the roles that the Assistant Chief of Staff handles is on the overseeing the admin and financial services of the office.

THE CHAIRPERSON. Please continue, Congressman Valeriano.

REP. VALERIANO. Okay. Sino po iyong nag-estimate ng 250 million para sa last quarter, si Gina Acosta po ba o kayo or si Vice President?

MR. ORTONIO. As far as I know, the Physical and Financial Plan was prepared by the… by Ms. Gina Acosta. And, as far as I know, maybe in coordination with the Safety Officer, but it's prepared by Ms. Gina Acosta.

REP. VALERIANO. In coordination with the?

MR. ORTONIO. Safety Officer, I presume.

REP. VALERIANO. Sino… Sino po iyong Safety Officer?

MR. ORTONIO. It's Colonel Lachica po.

REP. VALERIANO. So, ano po iyong amount ng Confidential Fund na naibigay? Iyong original request niyo is 250.

MR. ORTONIO. Two-fifty.

REP. VALERIANO. Ang naibigay is 125 million.

MR. ORTONIO. It's 125, Your Honor.

REP. VALERIANO. So, kung tutuusin, kalahati…

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. VALERIANO. (Continuing)...kung tutuusin, kalahati noong ni-request ninyo po ng 250.

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. VALERIANO. So, using the period projected for the 250 million request for 90 days or three months using the same estimation, mauubos ninyo iyong 125 sa kalahati noong three months, so 45 days. Tama po?

MR. ORTONIO. Based on the documents that were presented, it can be assumed that way po.

REP. VALERIANO. Ganoon. Pero naubos ninyo ng 11 days iyong 125. Tama po?

MR. ORTONIO. Based on the documents, Your Honor.

REP. VALERIANO. Based sa accomplishment report ninyo na sinubmit ng OVP, nakalagay doon ang covered ng 125 is from December 21 to 31 or 11 days iyong 125 million instead of 45 days.

MR. ORTONIO. Based on the documents that were presented, Your Honor, yes.

REP. VALERIANO. Ibig sabihin dito sa dami ng confidential activities na nai-conduct sa loob ng 11 days na-exhaust ninyo iyong 125 million o kalahati ng estimated cost. Dapat iyon 45 days po, 'di ba, iyong worth ng confidential activities pero you consumed it for 11 days. Tama po?

MR. ORTONIO. Based on the documents, Your Honor, yes. However, for the explanation...

REP. VALERIANO. Based on the documents.

MR. ORTONIO. Based on the documents presented, Your Honor. But on the implementation, I'm...I won't be able to answer for it, Your Honor.

REP. VALERIANO. Sige po. Doon tayo sa ano, sa rental of safehouses. Sa 4th quarter, rental of safehouses amounting to 16 million of the 125 million total confidential fund. May 34 acknowledgment receipt for rental of safehouses po from 2022. Ayon sa report ng OVP, nagastos itong 16 million na ito in a span of 11 days. Tama, based on your documents?

MR. ORTONIO. Based on the documents, Your Honor, yes. But on the particulars of it, Your Honor, again, I won't be able to provide further information on that one.

REP. VALERIANO. Sige po. So, kasi nakakagulat lang iyong amount na involved, eh. Pinakamura doon sa rental ng house...safehouse for 11 days is 250,000.

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So, kung hahatiin mo sa 11 days, parang 22,000 per day iyong rentals based on your documents. Tama po?

MR. ORTONIO. I cannot provide a specific answer on that, Your Honor. Maybe the...

REP. VALERIANO. That is based on the documents you submitted to the COA.

MR. ORTONIO. But I cannot answer, Your Honor, in terms of the computation that was mentioned. Maybe it's the safety officer who can properly provide such information.

REP. VALERIANO. Sige po. Punta tayo doon sa acknowledgment receipt na pinakamahal, iyong pinakamataas, 1 million divided by 11 days equals 90,000 per day. So, mahal po ito, parang luxury hotel o mas mahal pa. Anyway...pero sa sulat ng OVP to DBM ukol sa request ninyo for augmentation noong 2022, kasama na iyong sulat na kayo po ang nakapirma, wala namang na-mention doon na gagamit ng safehouses ang OVP. Sabi nga po sa letter noong August 2022 ang nire-request na confidential fund ay para sa safe implementation of the various projects and activities under the Good Governance Program and the conduct of official engagement and functional representation in international and domestic events. Tama po? Iyon ang nakalagay.

MR. ORTONIO. Based on the PFP that we submitted, Your Honor.

REP. VALERIANO. Ano po bang ibig sabihin noong Good Governance Program? Ano pong pagkakaintindi ninyo roon?

MR. ORTONIO. Good Governance Program, Your Honor, that's the programs, activities, and projects. That's the name of the programs, activities, and projects for the OVP for the year 2022. That covers for all the programs that we have...that we are implementing. And during that year, some of the activities under the Good Governance Program of the OVP covers the Medical and Burial Assistance Program and the Disaster Operations Program, to name a few.

REP. VALERIANO. Burial and medicine.

MR. ORTONIO. Medical and burial assistance that falls under the Good Governance Program for 2022.

REP. VALERIANO. So, how does this Good Governance Program relate to the 16 million rental of safehouses under confidential funds of the OVP?

MR. ORTONIO. Again, Your Honor, as to the...

REP. VALERIANO. That is based on the documents you submitted.

MR. ORTONIO. Again, Your Honor, on the spending of the confidential funds, I won't be able to provide you with an answer because I'm not privy to how the confidential

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funds were utilized. I only know of the doc...I only know of the confidential funds based on the documents that were presented to me when the AOM was issued to us and all the preliminary documentation.

REP. VALERIANO. Pero kayo po ang nag-request lahat. Kayo ang nakapirma doon sa lahat ng letter.

MR. ORTONIO. Yes. Ako po ang nag-sign, Your Honor, but as to the details on how it will be implemented there is a designated security officer to handle it. So, I won't be able to provide the specific details for this one.

REP. VALERIANO. Pero noong panahon po ng previous administration, kay Vice President Leni Robredo, mayroon na ring Good Governance Program.

MR. ORTONIO. That's correct, Your Honor.

REP. VALERIANO. Pero wala pong...hindi nangailangan ng confidential fund. Tama?

MR. ORTONIO. I cannot answer for the previous administration, Your Honor. I would not know the wisdom behind why they do not have the confidential funds, Your Honor.

REP. VALERIANO. Alam ninyo nakakapagtaka po sa safehouses ng OVP, consistently, from December 2022 to the first three quarters of 2023, mayroong confidential expenses for rental of safehouses. Alam ninyo po iyon?

MR. ORTONIO. Base...

REP. VALERIANO. Sa first quarter ng 2023, ini-report ulit ng OVP na gumastos raw ng 16 million again for safehouses.

MR. ORTONIO. Based on the documents...

REP. VALERIANO. Based on the documents, tama po?

MR. ORTONIO. Yes, Your Honor. But, again, as to the particulars on how it was spent, I would not be able to provide information, Your Honor.

REP. VALERIANO. Sa second quarter ng 2023, the same, 16 million for safehouses, based on the documents submitted. Tama po?

MR. ORTONIO. Based on the documents, Your Honor, that I saw, yes, Your Honor. But, again, as to the particulars, I won't be able to provide you with information on this one.

REP. VALERIANO. Sa third quarter ang ginastos is 5 million for safehouses.

MR. ORTONIO. As to the third quarter, Your Honor, I'm not familiar because, so far, we haven't received any AOM, so I'm not familiar with the accomplishment report for the third quarter.

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REP. VALERIANO. Pero noong fourth quarter wala nang confidential fund ng 2023 po, 'di ba?

MR. ORTONIO. As far as I know, Your Honor, the...there was no utilization on confidential funds for the fourth...

REP. VALERIANO. So, what happened to the rental of safehouses? Paano po iyong mga nagrerenta noon, iniwan ninyo na lang?

MR. ORTONIO. Again, Your Honor, I cannot provide answer on that one. Maybe it's the security officer who can provide further information on this one. I'm not familiar on the operations on the ground, Your Honor.

REP. VALERIANO. Sige po. Tumulong kayo personally sa pag-submit sa COA ng mga acknowledgment receipts, 'di ba, bilang patunay sa paggastos ng confidential fund mula fourth quarter ng 2022, iyong bago pa lang kayong upo noon hanggang third quarter of 2023. Tama po?

MR. ORTONIO. Your Honor, can I be clarified as to the word na tumulong?

REP. VALERIANO. Sige po.

MR. ORTONIO. Can I be clarified on that one?

REP. VALERIANO. Kasama kayo sa mga gumawa ng mga acknowledgment...sa pagsa-submit?

MR. ORTONIO. I submitted the documents, Your Honor, because I'm the designated liaison officer. So, to that extent, Your Honor, yes. I submitted the documents that...

REP. VALERIANO. Kayo ang nag-submit po?

MR. ORTONIO. Yes, Your Honor.

REP. VALERIANO. Okay. You are therefore aware na noong unang sinubmit ang accomplishment report at liquidation report para sa fourth quarter ng 2022 ng confidential fund wala itong kasamang mga acknowledgment receipts o iyong tinatawag na documents evidence in payment? Iyong 2022, last quarter, wala pa?

MR. ORTONIO. For 2022, Your Honor, that's correct, Your Honor. And that's also subject to the one of the items that was raised in the AOM.

REP. VALERIANO. Yes. So, when did the OVP receive the Audit Observation Memorandum for the liquidation...

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REP. VALERIANO. (Continuing)...for the liquidation of its fourth quarter 2022 confidential fund sa last quarter po ng 2023 na ito nai-submit, 2023 na. Tama?

MR. ORTONIO. We received two AOMs in relation to the 2022 confidential funds. We received one dated September 14 and another one dated October...

REP. VALERIANO. 2023.

MR. ORTONIO. 2023—sorry—and another one dated October 3, 2023.

REP. VALERIANO. And...And that is the time na nai-submit ninyo lang po iyong mga evidence ninyo. Iyong doc... Tama?

MR. ORTONIO. Based on the AOM, on these two AO...two AOMs, that was the time that we submitted the documentary evidence of payments as provided by those who operated on the field po.

REP. VALERIANO. Sige po.

Ngayon, kung namo-monitor ninyo iyong hearing, may ilang observation dito sa acknowledgment receipt na sinabmit *(submit)* ng OVP, hindi lang sa fourth quarter ng 2022, pero pati na rin doon sa first to third quarter ng 2023. Unang-unang kapansin-pansin po, iyong madaming acknowledgment receipt ng fourth quarter 2022 na ang petsa ay December 2023, more than 100 AR o acknowledgment receipt. Iyong ganito, pagkakaalala ko, ha, kung tama. Pero sinabi ninyo na inadvertence lang iyon, naisulat na taon na 2023 instead of 2022. Tama po?

MR. ORTONIO. That's correct, Your Honor, based on the information that was shared to us by the security officer and the SDO po.

REP. VALERIANO. Sige. Pero nakakapagtaka lang, ano, kung bakit nagkakamali ang taong masulat—instead of next year, instead of present year. Kung past year ang naisulat, maiintindihan ko pa sana, eh, pero sobra na, eh.

Pangalawa, siguro, narinig ninyo na rin po iyong obserbasyon na may mga iilang acknowledgment receipt na tila sinulatan o pinirmahan, nilagdaan gamit ang kakaibang pen ink na mukhang fountain pen pa yata ito. Narinig ninyo na po iyon?

MR. ORTONIO. I heard of that in the previous hearings, Your Honor.

REP. VALERIANO. ComSec, paki ano nga po.

Papakita ko po sa inyo. Nakita ninyo po?

MR. ORTONIO. Yes, Your Honor.

REP. VALERIANO. You would agree with me that this acknowledgment receipt appears to be written with the same color of ink.

MR. ORTONIO. Your Honor, I'm not sure, but I think the...the image is...

REP. VALERIANO. Pare-parehas po. And this color is distinct shade of blue na almost black, parang may gradient po siya. Paki tingnan ninyo po.

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MR. ORTONIO. Sorry, Your Honor. The way I see it, it's black ink.

REP. VALERIANO. Ah, papakita ko po sa inyo.

I am showing you a picture of distinct fountain pen ink. It's called Prussian blue.

MR. ORTONIO. Yes, Your Honor. Okay.

REP. VALERIANO. Nakita ninyo po? Do you confirm that this is the same or very similar colors, the ones in the acknowledgment receipt, as shown you before?

Paki bigyan siya noong ano, noong hard copy.

Nakita ninyo po? In fact, it's similar to the pen ink you used.

ComSec, paki...iyong slide po.

Mr. Chair, that's all.

THE CHAIRPERSON. Congressman...Tapos ka na?

REP. VALERIANO. Tapos ko na.

REP. JANETTE L. GARIN. Mr. Chairman, sorry. But what was that...There was something that was flashed a while ago. Ano po iyon?

THE CHAIRPERSON. Paki pakita po uli iyong pinlash *(flash)*.

REP. VALERIANO. Paki ano nga ulit iyong slide.

REP. GARIN. Yeah. So...Hindi. No, no, no. The...the...Yes.

I'm sorry, Mr. Chair. But I just saw this. So, the pen...Paki balik po. Nawala po, Ma'am, Sir.

THE CHAIRPERSON. Congresswoman Garin, you are recognized.

REP. GARIN. Yeah.

Mr. Chairman, of course, with due courtesy kay Mr. Lemuel Ortonio, lumalabas po kasi dito sa isang sulat niya, ang ginamit na pampirma is—what you...what do you call that?—parang fountain pen? Ano'ng tawag doon?

THE CHAIRPERSON. Parang sign pen ba iyan?

REP. A. D. GONZALES. Hindi sign pen iyan.

THE CHAIRPERSON. Ano iyan?

REP. GARIN. Hindi, eh.

THE CHAIRPERSON. Fountain pen?

REP. GARIN. Fountain pen?

Iyong kulay, which is quite unusual, at iyong klase ng ballpen na tila rin hindi pangkaraniwan ay parang kapareho doon sa mga petsa at mga pirma doon sa acknowledgment receipt. Tama po ba, Mr. Chair, iyong nakikita ng aking mga mata?

THE CHAIRPERSON. Who do you want to address the question?

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REP. GARIN. Tama po iyong nakikita ng aking mga mata, the other Members or…or…For that, Mr. Chair, can I move further?

Sir Lemuel, ito po ba ay kapareho ng ballpen na ginamit mo…iyong ballpen ba na ginamit noong mga pumirma at nagsulat ng petsa ng acknowledgment receipts ay kapareho doon sa ballpen na pinipirma mo?

THE CHAIRPERSON. Mr. Lemuel.

MR. ORTONIO. Yes. Your Honor, maybe before I'll answer the question, can I respectfully request the Committee if we can just take down my signature? Because I believe the…the Committee hearing, currently, is public and I'm afraid that mayroong…baka it would…aha.

REP. GARIN. Sige.

MR. ORTONIO. Parang may data privacy issue. But I will answer.

REP. GARIN. Yeah. Yeah, Mr. Chair…

MR. ORTONIO. But I will answer.

REP. GARIN. …can we request the…to stop showing this…

MR. ORTONIO. Yes.

REP. GARIN. …some document.

THE CHAIRPERSON. Okay.

REP. GARIN. Anyway, naitanong ko na po.

Our apologies for that, Mr. Ortonio.

MR. ORTONIO. Thank you. Thank you, Your Honor.

I'm not familiar with the acknowledgment receipts that were shown. I haven't seen…I'm not familiar.

REP. GARIN. Ano po, Mr. Chair, iyong ginagamit ninyong pampirma?

MR. ORTONIO. I actually have samples here. This year, I changed the pen that I have been using.

REP. GARIN. Puwede mo bang maipakita iyong fountain pen?

MR. ORTONIO. It's…This one. It's not a fountain pen but it's a felt-tipped pen po.

REP. GARIN. Okay.

At ang kulay niya ay ano po?

MR. ORTONIO. The color is deep indigo.

REP. GARIN. Iyong pirma po kanina, Mr. Chair, anong taon iyon?

REP. VALERIANO. 2023…

REP. GARIN. So…

REP. VALERIANO. …if I'm not mistaken. Iyan.

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REP. GARIN. So, Mr. Chair, Mr. Ortonio, ano po'ng ginagamit ninyong pampirma noong 2023?

MR. ORTONIO. 2023, I've been using…it's a blue pen. Sometimes, I still use it for writing. It's…

REP. GARIN. Ayan po. Iyan yata…

MR. ORTONIO. This one.

REP. GARIN. …iyong pen na galing ng PS-DBM, 'di ba?

MR. ORTONIO. It's a Pilot.

REP. GARIN. Pero mukhang hindi po iyan ang lumalabas sa pirma mo kanina.

MR. ORTONIO. Because that was my signature, I believe, for…for one of my replies in one of the invitations here sa Committee. So…

REP. GARIN. So, sige, diretsuhin ko na lang, Mr. Chair.

Ano iyong ginamit nong pen sa pirma mo noong dokumentong ipinakita?

MR. ORTONIO. It's this one. It's my felt-tipped pen po.

REP. GARIN. You…What do you call it?

MR. ORTONIO. It's a felt-tipped pen.

REP. GARIN. Felt-tipped pen.

MR. ORTONIO. Oo.

REP. GARIN. Aha.

So, Mr. Chair, can…I'm not sure, 'no, because we don't have…we are not penmanship experts here.

Baka mayroon naman tayong acknowledgment receipt diyan, puwede bang makasulat nang kaunti si Mr. Ortonio using that pen para lang makita natin iyong shade? The…if that is possible.

THE CHAIRPERSON. ComSec, puwede po bang paki bigyan ng ano?

REP. VALERIANO. Mr. Chair, and in addition to what Congresswoman Garin is saying, pati po si COS Zuleika Lopez, gumagamit din ng fountain pen na may ink na blue. Tama po?

MR. ORTONIO. That's correct, Your Honor…Sorry, Your Honor. It's not a fountain pen, if I can recall for ZTL's signature. I think it's also a felt-tipped pen. I can remember it's a slim pen. So, it's not a fountain pen.

REP. GARIN. Okay. Mr. Chair, can I have additional questions?

Sa Office of the Vice President po or sa Department of Education, sino-sino po ang gumagamit ng felt-tipped pen? Pasensiya na po. Bago ko lang po kasi narinig…

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. GARIN. (Continuing)...Bago ko lang po kasi narinig iyon. Yeah. So, Mr. Chair, para ngang medyo magkapareho ng klase ng pen ang ginagamit ni Attorney Zuleika Lopez at ni Ginoong Lemuel Ortonio. So, Mr. Chair, my pending question is, Sir Lemuel, sa OVP po at sa Department of Education, sino-sino pa po ang gumagamit ng ganitong klaseng pen?

MR. ORTONIO. For the OVP, Your Honor, I'm not sure who else uses a felt tip pen when they sign documents, but I do sign using felt tip pens starting this year.

REP. GARIN. Sino-sino pa po ang gumagamit ng ganiyang klaseng pen—ikaw, si Attorney Zuleika Lopez—sino pa po?

MR. ORTONIO. And then from time-to-time, it's Attorney Leika Lopez, and the others I'm not familiar anymore.

REP. GARIN. How about the Vice President?

MR. ORTONIO. The Vice President uses a different pen po when she signs documents.

REP. GARIN. So, more or less, sa pagkakaalam niyo... mo, kayong dalawa lang ni Attorney Lopez ang gumagamit ng ganitong pen?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. From the DEPED, Mr. Chair, baka matanong natin si Ma'am Fajarda?

MS. FAJARDA. Good evening, Ma'am. I have no...

THE CHAIRPERSON. Before I recognize Ma'am Fajarda...

MS. FAJARDA. Ay, sorry.

THE CHAIRPERSON. ...Sunshine, the Chair would like to recognize the Honorable Robert Ace Barbers from the 2nd District of Surigao del Norte.

Please continue, Mister... Ms. Sunshine Fajarda.

MS. FAJARDA. Mr. Chair... Thank you, Mr. Chair.

As to your question, Honorable Garin, I have no knowledge po kung sino ang gumagamit or kung may gumagamit po ba ng felt tip pen sa Department of Education. It's also my first time to hear of such a pen po.

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REP. GARIN. So, Mr. Chair, I haven't really seen some of the acknowledgment receipts. Sa mga acknowledgment receipts, mayroon po bang ganito kataba iyong sulat? Sa mga acknowledgment receipt po in the possession of our Committee Secretariat, mayroon bang mga pirma o mga sulat na ganito kataba, kapareho ng pirma at sulat ni Ma'am Zuleika Lopez at ni Ginoong Lemuel Ortonio?

Can... Maybe the ComSec can answer, Mr. Chair.

So, may I repeat my question. Sa mga acknowledgment receipts that are in the possession of the Committee Secretariat, mayroon po bang mga sulat, pirma, or sulat ng petsa na kasing taba nitong klase ng ballpen ni Ma'am Zuleika Lopez at ni Ginoong Lemuel Ortonio, iyong sulat at iyong kulay?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honor, per initial observation, yes.

REP. GARIN. In a scale of 1 to 100 percent, ilang porsyento po ang kapareho—kalahati, more, or almost all?

THE ACTING COMMITTEE SECRETARY. Almost all, Your Honor. Highly probable even the... sa width nung kanilang ano, penmanship, Your Honor.

REP. GARIN. Thank you for that, Ma'am.

So, Mr. Chair, ulitin ko lang. Ang isang nakita nating nakakapagtaka dito iyong mga acknowledgment receipt, ibig sabihin iyong mga pirma at petsa na kuno nabigyan ng pera ay kapareho iyong taba, kulay ng sulat ng espesyal na klaseng ballpen na ang tanging gumagamit lang po—pasensya na po—ay si Mr. Lemuel Ortonio at si Zuleika Lopez. We have that very high probability, Mr. Chair, na posible po na ang acknowledgment receipt ay ginawa baka, 'no, ni Attorney Zuleika Lopez at ni Sir Lemuel Ortonio.

Mr. Ortonio, are you categorically denying na mayroon kang kinalaman sa mga acknowledgment receipts na ito?

MR. ORTONIO. Yes, that's correct, Your Honor. I have nothing to do with the acknowledgment receipts.

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REP. GARIN. Paano po naging ganito na iyong taba, at kulay, at sulat nung mga acknowledgment receipts, including iyong petsa, ay parang hawig ng ballpen na tanging ikaw lang at si Attorney Zuleika Lopez ang gumagamit?

MR. ORTONIO. I do not know how to explain that, Your Honor, but…

REP. GARIN. But do you admit that that is a ballpen that is not usually used by common people?

MR. ORTONIO. I'm not so sure, Your Honor, because I actually got this from a… a known shop, Japanese shop, and they sell it by… marami silang sine-sell na ganito. So, I'm not sure…

REP. GARIN. So, ni-regalo siya or binili?

MR. ORTONIO. No, I buy it. I buy it, oo.

REP. GARIN. Ni-regalo mo rin kay Ma'am Zuleika…

MR. ORTONIO. No, Your Honor.

REP. GARIN. …or binili niya rin separately?

MR. ORTONIO. I'm not sure if we're using the same brand, Your Honor.

REP. GARIN. Pero sa mga taong nakakahalubilo mo, kunwari ngayon o sa buong room na ito, masasabi ba natin ikaw lang ang gumagamit ng ganiyang klaseng ballpen?

MR. ORTONIO. I cannot say, Your Honor.

REP. GARIN. Mr. Chair, may I ask everybody in the room, mayroon bang ballpen na kapareho iyong kulay, shade ng ginagamit ni Mr. Ortonio? Nobody is raising their hands, so… Kasi, Mr. Chair, ako eh medyo umiikot ako sa iilang meetings, events, and advocacy meetings sa mga…even in the urban and rural centers. Medyo hindi po pangkarinawan na ginagamit ng mga empleyado or iyong mga inuutusan natin sa field na pumirma ng acknowledgment receipt na halos pare-pareho ang taba ng letra, ang kulay na hindi pangkaraniwan na ballpen na ito.

Maraming salamat, Mr. Chairman.

THE CHAIRPERSON. Thank you, Congresswoman Garin.

The Chair would like to acknowledge the next interpellator, the Honorable Jude Acidre.

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REP. ACIDRE. Isa muling magandang gabi po, Mr. Chair.

Nais ko pong magtanong kay Attorney Rhoscel Abella. Attorney, magandang gabi po. It's nice to see you, finally.

MS. RHOSCEL N. ABELLA (Lawyer, Office of the Vice President). Thank you, Your Honor.

REP. ACIDRE. Parang maraming papel na nakita ko iyong pirma mo, pero it's nice to see you in the flesh.

MS. ABELLA. Your Honor, I apologize during the last…

REP. ACIDRE. Yes. You were invited during the November 20 meeting, 'no…

MS. ABELLA. Yes, Your Honor, I apologize.

REP. ACIDRE. …and you were not able to attend.

MS. ABELLA. I apologize, Your Honor, for my non-attendance during the last hearing because I have a hearing…

REP. ACIDRE. Yes.

MS. ABELLA. …in the… in Makati court, Your Honor. I already submitted my explanation with attached…

REP. ACIDRE. Can we confirm with the Secretariat kung naka-submit na sila and we have authenticated it?

THE CHAIRPERSON. Secretariat.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor. Your Honor, Attorney Abella complied. She submitted her Certificate of Appearance issued by the Makati Branch, RTC Branch 60, Your Honor.

REP. ACIDRE. Thank you, Ma'am.

Attorney Abella, iyong hearing mo anong oras natapos?

MS. ABELLA. Your Honor, it was finished at around… before one o'clock, Your Honor.

REP. ACIDRE. Pero hindi niyo naisipan na humabol dito sa meeting kasi alam niyo naman Hong… siguro halos lahat ng pagkakataon ay ginagabi po ang mga hearing natin. Hindi niyo ho naisipan na pumunta, humabol para lang ho hindi kayo maisyuhan ng show cause order?

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MS. ABELLA. Since, Your Honor, I have already… nag… nag-explain naman po ako, Your Honor, I was hoping for the kind indulgence of the Honorable Committee that it would be granted, Your Honor.

REP. ACIDRE. Attorney, itong kliyente mo ba private client or ito po ay kasama sa trabaho niyo bilang empleyado ng Office of the Vice President?

MS. ABELLA. It's a private client, Your Honor.

REP. ACIDRE. So, pero sa ngayon empleyado kayo ng OVP?

MS. ABELLA. Your Honor, I only have a contract of service, Your Honor.

REP. ACIDRE. You have a contract of service. Ang contract…Can you help me understand, 'no? Kung contract of service ba hindi kailangan ng authority to engage in private practice?

MS. ABELLA. No, Your Honor. Only a contract of service parang... I only have a consultancy with the… I only have a contract of service with the OVP.

REP. ACIDRE. Ano ba talaga, contract of service or consultancy?

MS. ABELLA. Contract of service, Your Honor.

REP. ACIDRE. Magkaiba po iyon.

MS. ABELLA. Contract of service, Your Honor.

REP. ACIDRE. So, contract of service does not require you to… technically, ang contract of service contractual, 'di ba?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. 'Pag contractual, hindi required na magkaroon ng authority to engage in private practice?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. Can we confirm that, Mr. Chair, later? For the record lang, 'no, because I'm actually not… I'm not actually certain kung ano talaga ang rules, but maybe in the next meeting we can get a clarification from CSC, Mr. Chair, kung covered ng Civil Ser… ng… ng requirement for an authority to engage in private practice 'pag contractual iyong empleyado, Mr. Chair.

THE CHAIRPERSON. We will invite the representative of Civil Service.

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REP. ACIDRE. Pamilyar po ba kayo, Attorney, sa Section 136, Rule XII of the Revised Omnibus Rules on Appointments and Other Human Resource Actions? Ito po iyong particular na CSC regulation sa pag…engagement ng mga government employees labas ho ng employment for… outside employment or activities. Babasahin ko lang ho.

Section 136, mukhang ito na iyong kasagutan sa tanong natin kanina, "No officer or employee, whether in a permanent or a regular capacity, temporary, casual…

(MS. JOY S. JARA TOOK OVER)

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REP. ACIDRE. (Continuing)...temporary, casual, or holdover—parang pasok doon iyong contractual natin, Ma'am—shall engage directly or indirectly in any private business or practice of professions. Exemptions may be allowed, subject to the limitations provided under Republic Act 6713 and other special laws. Provided, further that the following requirements/conditions are met: (a) Written permission from head of agency must be secured and renewed annually; (b) Time devoted office hours shall not impair, in any way, the efficiency of the officer or the employee nor pose a conflict or tend to conflict with official functions and must be fixed by the head of agency; and government facilities, equipment, and supplies shall not be used while engaged in private practice or practice of profession."

Attorney, kanina sinabi ninyo ho, hindi ho kayo consultant, contract of service po, 'di po ba?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Ang appreciation ko po iyon, Attorney, baka magkaiba tayo ng appreciation, eh, pasok po kayo sa limitations ng scope ng Section 136, 'no, nitong Rule 12, the Omnibus...Revised Omnibus Rules on Appointments and other Human Resource Actions. Pero be it as it may, 'no, sabi dito, siguro naman kahit...kahit hindi ho nag-a-apply sa inyo pero for sake of...considering hindi kayo nga consultant pero contract...contractual kayo, 'no.

By the way, so you're stating for the record na wala kayong authority to engage...authority to engage in private practice, categorically, Ma'am, for the record?

MS. ABELLA. I have no engage...I have none, Your Honor.

REP. ACIDRE. You have not applied for it?

MS. ABELLA. None, Your Honor.

REP. ACIDRE. You have never been advised to apply for it?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. Noted.

May sinasabi doon sa Section 136, "Time devoted outside of office hours shall not impair, in any way, the efficiency of the officer or employee." Bilang contract of service, required po kayong pumasok araw-araw, 'di po ba?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. May kasama po sa kontrata ninyo?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Ilang oras po?

MS. ABELLA. Your Honor, it's stated in my contract that I am allowed to work from home, Your Honor.

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REP. ACIDRE. So, ang kontrata ninyo po, required kayo o allowed kayo to…

MS. ABELLA. Work from home, Your Honor.

REP. ACIDRE. …work from home?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Wala kayong reporting station?

MS. ABELLA. I have a reporting station, Your Honor.

REP. ACIDRE. So, talagang nasa bahay ka lang, sinusuwelduhan ka? To whom are you reporting to?

MS. ABELLA. Your Honor, I report to the Legal…Legal Department, Your Honor.

REP. ACIDRE. Who is headed by?

MS. ABELLA. Atty. Torrentira, Your Honor.

REP. ACIDRE. Who signed your contract of service, Ma'am?

MS. ABELLA. The signatories of my contract of service, Your Honor, is ASec Ortonio, Your Honor.

REP. ACIDRE. Are you confirming this, Usec Ortonio?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. ACIDRE. Are you familiar with the terms of the contract of service with…

MR. ORTONIO. Yes, Your Honor.

REP. ACIDRE. …Atty Abella?

MR. ORTONIO. Yes, Your Honor.

REP. ACIDRE. So, ibig ninyong sabihin, hindi mo nakikita si Atty. Abella sa opisina?

MR. ORTONIO. She has an arrangement of a work from home setup. However, in a week, she goes to the office as well.

REP. ACIDRE. How regular is this?

MS. ABELLA. Your Honor, I go to the office twice or thrice…three times a week, Your Honor.

REP. ACIDRE. In the regular intervals?

MS. ABELLA. In the regular intervals every week.

REP. ACIDRE. Do you have a desk at the Office of the Vice President?

MS. ABELLA. Every week, Your Honor.

REP. ACIDRE. Do you have a desk at the Office of the Vice President?

MS. ABELLA. Yes, Your Honor.

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REP. ACIDRE. You appear, you make your…your…you don't…so, you don't do your…wala kang DTR, walang…

MS. ABELLA. I have accomplishment reports, Your Honor.

REP. ACIDRE. Just the accomplishment report?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. So, sa inyong pag…sa iyong pagtingin, 'no, considering na in order naman iyong sa tingin ninyo iyong contract of service ninyo hindi po labag dito sa Rule 136 kasi, sabi ninyo nga po, work from home po kayo?

MS. ABELLA. Yes, Your Honor. And aside from that, Your Honor, I also regularly report, Your Honor.

REP. ACIDRE. So, ano po iyong scope ng contract of service ninyo, Attorney?

MS. ABELLA. Your Honor, my scope of work includes answering queries, Your Honor, preparing legal opinion, legal advice, Your Honor, and review of documents, Your Honor.

REP. ACIDRE. So, normally po, sino po ang kausap ninyo sa office?

MS. ABELLA. Your Honor, the legal…

REP. ACIDRE. The legal…

MS. ABELLA. The Legal Department, Your Honor.

REP. ACIDRE. Sino nga po ang legal ulit?

MS. ABELLA. The Chief, Your Honor, is…

REP. ACIDRE. Anong pangalan po?

MS. ABELLA. Atty. Emily Torrentira, Your Honor.

REP. ACIDRE. Okay. Atty. Abella, are you aware of AM No. 02-08-13-SC, otherwise known as the 2004 Rules on Notarial Practice or the Notarial Rules, correct?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Of course, as notary public, it's your duty to know it by heart, 'di ba?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. And as notary public, you are sworn under oath to discharge your duties faithfully, correct?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Are you aware that the Notarial Rules require personal appearance of the affiant, correct?

MS. ABELLA. Yes, Your Honor.

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REP. ACIDRE. Mr. Chair, I would like to point out that under the Notarial Rules, and I am sure Atty. Abella would agree, that when a document is acknowledged, it refers to an act wherein an individual on a single occasion, among others, appears in person. Ulitin ko po, appears in person before the notary public and is attested to be personally known to the notary public or identified by the notary public through competent evidence of identity.

Furthermore, the Supreme Court has ruled in the case of Patenia-Kinatac-an verus Patenia-Decena, 2020 ruling said that, I quote as explained in Miranda, Jr. versus Alvarez, Sr., and Gaddi versus Atty. Velasco, the 2004 Rules on Notarial Practice provides, "That a notary public should not notarize a document unless the signatory to the document is in the notary's presence personally at the time of the notarization and personally known to the notary public or otherwise identified through competent evidence of identity."

Clearly, 'pag ni-notaryohan *(notary)* mo iyong isang dokumento na wala doon iyong presensiya, personal presence of the affiant, is a violation of the Notarial Rules which renders the notarization invalid.

Mr. Chair, I would like to make this manifestation na noong last na hearing, pareho si Atty. Sanchez at si Ms. Villadelrey, they testified before the Committee that they made no personal appearance before Atty. Abella na siyang notaryo ng kanilang mga statement na sinabmit *(submit)* po sa atin. Pero makikita po natin doon sa statement nila, there is, of course, the markings, 'no, sworn and..."subscribed and sworn before me," and there you have the signature of Atty. Abella, same for the document, sa statement ni Ms. Villadelrey. Do you confirm that these are your markings...

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. ...and this is your signature?

MS. ABELLA. These are...these are my signatures, Your Honor.

REP. ACIDRE. But sabi ni Atty. Sanchez at ni Ms. Villadelrey, hindi po sila nagpunta sa iyo at hindi ka rin...hindi rin po ninyo sila pinuntahan. So, they did not make...did not make...they didn't make any personal appearance before Atty. Abella.

So, Mr. Chair, obviously, this is indirect violation of the Notarial Rules. It appears that this is a practice of Atty. Abella and this Representation, Mr. Chair, believes that it puts to doubt whether the certifications notarized by Atty. Abella which are subscribed by Vice President Duterte, a lawyer who should be familiar with the Notarial Rules, and SDO Edward Fajarda and Gina Acosta were not done in accordance with the Notarial Rules. Kasi kung hindi ho sakto, hindi po in accordance

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with the Notarial Rules, puwede po nating masabi na invalid po ang notarization. This furthers the theory that the liquidation of the confidential fund was done *pro forma* and both the OVP and the DEPED, under Vice President Duterte, only made efforts that they complied with the relevant liquidation rules in order to seemingly cover up, Mr. Chair, what appears to be a bogus liquidation.

Atty. Abella, matanong kita ulit, kayo po ba iyong notaryo publiko para sa certification na in-attach ng OVP at DEPED sa mga liquidation reports ng confidential funds, tama?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Kayo din po ang notaryo publiko sa certifications na ginamit para sa liquidation report ng OVP confidential funds for December 2022 at sa first and third quarter ng 2023, tama po ba?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. I'll give you the chance to look at the documents. So, these are for 2022 confidential funds.

Next.

First quarter OVP; second quarter, OVP for 2023; 2023, third quarter; 20...Sa DEPED din, kayo din po sa DEPED, first quarter 2023.

Next.

Second quarter sa DEPED.

Next.

Third quarter...

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REP. ACIDRE. (Continuing)...Third quarter sa DEPED. Nakita ninyo naman po lahat ng documents sa...kino-confirm ninyo po Atty. Abella na kayo iyong nag...nag-notarized po iyon lahat?

MS. ABELLA. Yes, Your Honor. And they appeared before me, Your Honor.

REP. ACIDRE. Hindi po iyon ang salaysay kanina ni, ah, nung last hearing ni Atty. Sanchez at ni Ms. Villadelrey. Gusto pong tanungin, Atty. Sanchez, ito po iyong...personally appeared, okay. Babalikan ko po mamaya si Atty. Sanchez, after siguro series of... may mga questions na lang dito. Saan ang notarial commission ninyo, Atty. Abella?

MS. ABELLA. City of Manila, Your Honor.

REP. ACIDRE. Sa City of Manila, tama. Saan ang opisina ninyo sa City of Manila? Kasi kung titingnan mo sa notarial stamp mo ang opisina po ninyo nasa Pedro Gil St., Sta. Ana, Manila, tama po ba?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Ano pong building o street number?

MS. ABELLA. Near Centro Mall, Your Honor.

REP. ACIDRE. Saan pong opisina ng OVP?

MS. ABELLA. Mandaluyong, Your Honor.

REP. ACIDRE. Mandaluyong. 11th Floor, Robinsons Cybergate Plaza, EDSA corner Pioneer, Mandaluyong City, 'di ba?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Ang DEPED main office, saan po ba, hindi ba nasa DEPED Complex, Meralco Avenue, Pasig City, tama?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. So ibig sabihin, hindi po kayo pinuntahan ni...ang sinasabi ninyo po hindi kayo pinuntahan ni VP Sara, ni SDO Gina at ni Edward Fajarda sa kani-kanilang mga office sa...tapos sila po ang pumunta sa opisina ninyo sa Manila?

MS. ABELLA. Ako po iyong...ako po iyong pumunta sa opisina ng OVP, Your Honor.

REP. ACIDRE. Pero ang notarial commission ninyo po nasaan, Ma'am, ulit?

MS. ABELLA. Nasa Manila, Your Honor.

REP. ACIDRE. Hindi ba nakikita ninyo na that is labas po sa jurisdiction ng inyong notarial commission?

MS. ABELLA. May I explain, Your Honor.

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REP. ACIDRE. Please.

MS. ABELLA. Your Honor, I understand na the Office of the Vice President are busy and they have precious time, Your Honor, and to extend the service, Your Honor, I went to their office in order to confirm the identi...the due execution, the personal appearance, Your Honor. However, I took this document and notarized it in Manila office where my stamp is, Your Honor.

REP. ACIDRE. So...

MS. ABELLA. In the...

REP. ACIDRE. ...so you're confirming that you...you issued the notarization outside of your jurisdiction?

MS. ABELLA. No, Your Honor. I...what I am saying, Your Honor, is there is a personal confirmation because we have to be compliant with the personal appearance. So, I went to the office of the Office of the Vice President in order to confirm the due execution of the document and took this document and stamped it in Mani...the seal was made in Manila, Your Honor.

REP. ACIDRE. Ngayon tatanungin ko na po si Atty. Sanchez kasi I remember exactly what she told us during the last hearing. Ma'am, ang sabi po ninyo, tinawagan lang po kayo, pina-prepare, hindi ho kayo nag-appear before kay Atty. Abella. Tama po ba?

MS. SANCHEZ. That's is correct, Your Honor.

REP. ACIDRE. Okay.

Ms. Villadelrey, Ma'am, naalala ko rin po, sabi ninyo po hindi ho kayo ni minsan nakaharap kay Atty. Abella para sa paggawa po ng statement ninyo, confirm po iyon?

MS. JULIETA VILLADELREY (Chief Accountant, Office of the Vice President). For the statement po...

REP. ACIDRE. Yes.

MS. VILLADELREY. ...tama po.

REP. ACIDRE. Okay.

MS. ABELLA. May I be allowed to explain, Your Honor.

REP. ACIDRE. No, Ma'am. I'm not recognizing you muna kasi...

MS. ABELLA. Ay sorry. I apologize, Your Honor.

REP. ACIDRE. ...we...we got your...we got the response na.

Ma'am, alam ninyo ho ang penalty 'pag nag-notarize po kayo ng walang personal appearance?

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MS. ABELLA. It depends on the circumstances…

REP. ACIDRE. Ma'am, the law does not qualify the regulations, does not qualify in that extent. Clearly, in this case puwede kitang pa…puwede kitang ipakuwan, eh, pagbibigyan kita sa jurisdiction, pero iyong sworn and subscribed…subscribed and sworn *before me, medyo mahirap ho iyong i-justify, Ma'am. Won't you agree, Ma'am?*

MS. ABELLA. Your Honor, would you…may I be allowed to explain, Your Honor.

REP. ACIDRE. No, I'm asking you, Ma'am. Do you…

MS. ABELLA. Your Honor, I will qualify the agreement, Your Honor, because it is…I cannot…I cannot categorically agree because I have…

REP. ACIDRE. But for this case, Ma'am, of the statement, are you insisting still na you issued it with the personal appearance of Ms. Villadelrey and Atty. Sanchez? That's all I'm asking you.

MS. ABELLA. No, Your Honor. I will not insist.

REP. ACIDRE. So you lied kanina when you said that you did issue the…the kuwan the…you appeared. I remember you… after I showed you the document showing na…na iyong statement you said, derecho ka nagtuloy-tuloy ka, if you remember…

MS. ABELLA. Your Honor…

REP. ACIDRE. …sinabi mo but they appeared, 'di ba.

MS. ABELLA. They appeared, Your Honor, because the statement were several, Your Honor. There were liquidations…

REP. ACIDRE. No. No. I am referring to the statement…

MS. ABELLA. Statement…

REP. ACIDRE. …the statement was the first document I showed and derecho ka nag-qualify. Yes, they appeared before me. Pero ngayon sabi nila, hindi.

MS. ABELLA. May I be allowed to clarify, Your Honor.

REP. ACIDRE. Please.

MS. ABELLA. Your Honor, with respect to the liquidations, Your Honor, they appeared…

REP. ACIDRE. Ma'am, I'm not referring to the liquidations. I'm referring to the statement.

MS. ABELLA. Statement of Attorney?

REP. ACIDRE. Yes, Sanchez and Villadelrey. Sinabi nila kanina, iyan ang una kong ipinakita and I asked whether you were the one who notarized it, ang bilis mong

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sumagot. Sinabi mo kaagad na they appeared personally. Kaya nga iyong mga kasama ko kanina sabi na, tanungin mo…

MS. ABELLA. No, Your Honor…

REP. ACIDRE. …kasi iyon ang statements… that's contrary to what they…they said. Now, okay.

MS. ABELLA. No, Your Honor…may I be allowed.

REP. ACIDRE. Yes, Ma'am.

MS. ABELLA. Your Honor, I will…I will state, Your Honor, for the record that, yes, Your Honor, they did not appear before me for the notarization of these documents, Your Honor.

REP. ACIDRE. Well, you gave a different answer earlier.

MS. ABELLA. No, Your Honor. I was consistent, Your Honor.

REP. ACIDRE. Ah, well, at the very least I cannot agree that you're consistent because if you managed to notarize these documents even without the personal appearances of Ms. Villadelrey and Atty. Sanchez, I hope you'll forgive me for not also believing that the others would not… also with the personal appearance of the affiants. I mean, that's a fair assumption because you already…you already admitted to the act of notarizing a document without their personal appearance.

Anyway, so Atty. Abella malapit po ba kayo kay VP Sara Duterte?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. Kay Atty. Zuleika Lopez?

MS. ABELLA. Not very close, Your Honor.

REP. ACIDRE. Nagkaroon ho ba ng pagkakataon na nakaharap ninyo personally si VP Sara?

MS. ABELLA. For…for what purpose, Your Honor?

REP. ACIDRE. I mean, for a chat, for a meeting.

MS. ABELLA. No, Your Honor.

REP. ACIDRE. So, you never got to meet in person the Vice President?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. So how can you issue a notarization without the personal appearance of the Vice President?

MS. ABELLA. Your Honor, may I be allowed to show the documents upon which this…this…

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REP. ACIDRE. Can we go back to the kuwan, the certifications? Can the Secretariat please show the certifications again? Kasi I understand the Vice President is one of the affiants and if you're telling me that you haven't seen the Vice President, you haven't even met her...o, iyon. Ito iyon. That document iyon. Kasi iyong iba hindi na nilagyan ng kuwan, eh, siguro sa madalas nilang kinukuhang abogado si Atty. Abella hindi na kailangan ng identity document. Pero with that, oh, you can see the passport, sworn...subscribed and sworn before me. So noong October 4, 2023 hindi ninyo na-meet si VP Sara?

MS. ABELLA. No, Your Honor, only Edward Fajarda, Your Honor, because VP Sara is attesting. She's only a witness to the signature of Edward Fajarda, Your Honor.

REP. ACIDRE. Ma'am...

MS. ABELLA. I believe, Your Honor...

REP. ACIDRE. ...the document says, subscribed and sworn to before me this October 4, 2023, Mr. Edward Fajarda exhibited to me his SSS UMID Number and...and hindi or, ha, hindi also, and Vice President and Education Secretary Sara Z. Duterte exhibited to me her passport number—I can't see the numbers anymore.

MS. ABELLA. Your Honor, that document those were also inscribed at the time that it was given to me by Mr. Edward Fajarda. But I believe, Your Honor, ang pagkakaalam ko po kasi si Mr. Edward Fajarda po ang nagsu-subscribe sa akin because he is the one under oath.

REP. ACIDRE. But why was this document not corrected?

MS. ABELLA. Your Honor, because it was already given to me and that is already their forms, Your Honor.

REP. ACIDRE. Okay. I will go to the next certificates...

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REP. ACIDRE. (Continuing)...to the next certificates, iyong unahan na...unahan na, 4th quarter.

Next. Next.

O, iyan. Bakit walang identity document?

MS. ABELLA. *Your Honor, because I believe, Your Honor, that is only an* extra...extra identity...it's a superfluous, Your Honor, because the one attesting under oath, under the rules, Your Honor, is Gina Acosta. So, the...the...

REP. ACIDRE. Pero kahit iyong identity document ni Gina Acosta, wala po diyan, 'no?

MS. ABELLA. Your Honor, usually, Your Honor, attached to these documents are photocopies of the ID, Your Honor.

REP. ACIDRE. Hindi kaya ini-stamp mo na lang iyan tapos hindi na rin...kasi siguro sa dami ng documents na kailangan mong notaryuhan?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. You wouldn't say that it's like, baka nagkamali lang din?

MS. ABELLA. No, Your Honor. Talagang ang standard, Your Honor, if it is not included, we attach the photocopy, Your Honor.

REP. ACIDRE. So, ang tanong ko lang...Anyway, be it as it may, 'no.

Nakita natin ilang beses po kayo nag-isyu, nag-notarize ng certification ng liquidation?

MS. ABELLA. I can't...I cannot...

REP. ACIDRE. If I remember, seven times...seven times mo na pirmado ng mga SDO at ni Vice President Sara. Kasi kung ako tatanungin mo, sa layo ho ng opisina ng DEPED at ng Office of the Vice President, para talagang dayuhin mo, ano, I can only...I can only assume and I can only guess na talagang malapit ka sa kanila. At kung makikita mo, sa lahat ng certification, ma-DEPED man at...o 'di kaya ma-OVP, makikita mo sino iyong common signatory doon sa lahat ng documents.

MS. ABELLA. The SDOs, Your Honor.

REP. ACIDRE. Well, if you will ask me, 'no, the common signatory is VP Sara, 'di ba?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Kasi kung DEPED, si Edward Fajarda ang pumipirma; kung sa OVP, si Gina Acosta. So, ako, honestly, Mr. Chair, ang nakikita ko ditong common

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signatory si VP Sara po. At malamang ho, siya po iyong rason bakit madalas ho kayong kuning mag-notaryo lalo na sa confidential funds.

Atty. Abella, noong nakaraang hearing, kinumpirma ni Atty. Rosalynne Sanchez, siya po ang...alam niyo naman ho ang designation din niya, Director for Administrative and Financial Services, na ang tawag niya ho sa inyo, one of the staff of the Office of the Vice President, tama po ba?

MS. ABELLA. I have to confirm.

REP. ACIDRE. Attorney, do you stand by your earlier testimony?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. And we are qualifying you that she is under contract of service, tama po ba?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACIDRE. At sinabi din ni Atty. Sanchez na kayo ay involved in the execution of non-disclosure agreements and other documents and contracts for the Office of the Vice President?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Parang...parang naka-retainer kayo sa Office of the Vice President, ano? Technically.

MS. ABELLA. I have a contract of service, Your Honor.

REP. ACIDRE. Yes. So, tanong ko po, paano po kayo nadala sa Office of the Vice President?

MS. ABELLA. I applied, Your Honor.

REP. ACIDRE. Nag-apply po kayo?

MS. ABELLA. Yes, Your Honor.

REP. ACIDRE. Wala po kayong kakilala? Hindi niyo ho kilala si Atty. Lopez? Hindi niyo ho kilala si Vice President Duterte before these all happened?

MS. ABELLA. I know Atty. Lopez, Your Honor.

REP. ACIDRE. In what capacity po kilala niyo si Atty. Lopez?

MS. ABELLA. A long time ago, Your Honor, she was my schoolmate, Your Honor, a long time ago.

REP. ACIDRE. In San Beda?

MS. ABELLA. Yes, Your Honor.

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REP. ACIDRE. Okay. Staff kayo ng OVP pero kayo din ang nagno-notaryo ng dokumento ng ibang opisina ng gobyerno, especially the Department of Education, tama po ba?

MS. ABELLA. Only...I was only approached not...I was only approached by Mr. Fajarda, Your Honor, for those (*Unintelligible*).

REP. ACIDRE. Only when it comes to confidential funds?

MS. ABELLA. Those documents only, Your Honor.

REP. ACIDRE. Therefore, you are notarizing itong mga dokumento na ito sa DEPED in your private capacity kasi hindi naman siya covered ng employment ninyo sa OVP, tama po ba? Would you agree with me?

MS. ABELLA. Yes. Yes, Your Honor.

REP. ACIDRE. Na-mention niyo na kanina, wala kayong authority to engage in private practice. Kapag nagno-notaryo kayo sa DEPED, kasi hindi na siya kasama noong engagement mo with OVP, nagsisingil ka ba? Do they pay you?

MS. ABELLA. For this...for this, Your Honor, no, Your Honor. I did not.

REP. ACIDRE. So, you...you have not issued any official receipts for notarial services rendered to DEPED?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. And you haven't declared any income in relation to the notarial services that you do for DEPED?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. Not in the last two years that you were engaged with...by the Office of the Vice President?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. So, kung...when you notarized these documents sa DEPED, kahit kayo po ay empleyado ng Office of the Vice President, ginawa niyo ito dahil favor sa mga affiants, tama po ba? Pakikisama kasi magkakasama din naman kayo sa Office of the Vice President kahit hindi na saklaw ng inyong contract, kayo din po ang nag-notaryo nito?

MS. ABELLA. I was approached, Your Honor. And as a notary public, I notarized the documents, Your Honor.

REP. ACIDRE. And yet you did not charge?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. Why?

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MS. ABELLA. Your Honor, under the notarial rules, we are allowed not to charge, Your Honor.

REP. ACIDRE. No. But the thing is, why did you not? I know you are allowed, but why make a decision not to charge?

MS. ABELLA. I was not…I was not…I did not charge anymore, Your Honor.

REP. ACIDRE. Why?

MS. ABELLA. I chose to, Your Honor.

REP. ACIDRE. You chose to for reasons that, well, anyway DEPED naman ito, pareho naman iyong Secretary at Vice President, tama po ba?

MS. ABELLA. At that time, Your Honor, I was not…I just did not charge, Your Honor.

REP. ACIDRE. May tanong lang ako. Ito medyo it caught my attention lang. Kasi kung titingnan mo, sa dami ho ng nagno-notaryo, sa mga dokumento, malaking ahensya po ang DEPED, 'no. Makikita ninyo, madalas sa hindi, sa mga dokumento like, for example, I show you a contract dated March 30, between DEPED tapos kay General Nolasco Mempin, hindi po kayo ang notaryo publiko?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. Oo. Mayroon din itong contract supply, delivery and maintenance of DCP-E-Classrooms.

Next.

Hindi rin kayo ang notaryo publiko?

MS. ABELLA. No, Your Honor.

REP. ACIDRE. Hindi kaya paborito kayong notaryo publiko kapag ang pinag-uusapan confidential funds?

MS. ABELLA. I cannot.

REP. ACIDRE. You don't have to answer.

Mr. Chair, iyan lang po iyong manifestation. Kitang-kita po natin na consistent po sa isang bagay ang pagno-notaryo ni Atty. Abella, iyan po kung ang dokumento ay may kinalaman sa mga confidential funds. Siguro naman hindi lang po siya ang abogado ng Office of the Vice President. Hindi lang ho siya ang abogado ng Department of Education na kilala ng Department of Education. Pero kapansin-pansin, I'll put it on record, Mr. Chair, na despite, apparently, I would like…I would…I would…I would say, 'no, kung nagawa niyang mag-notaryo nang hindi…despite the lack of formalities, despite the lack of personal appearance ng ating mga resource

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persons na nandito po, si Atty. Sanchez at si Ms. Villadelrey, hindi po ako magtataka, Mr. Chair. At katulad ho ng inamin kanina din ni Atty. Abella na never naman ho niyang na-meet si Vice President personally para personally mapirmahan iyong...manotaryuhan iyong mga dokumento ng certification ay kailangan pong busisiin kung ano po ang koneksyon ni Atty. Abella at ang lalim po ng kaalaman din niya sa mga dokumentong kanya pang ni-notarize. Kasi naniniwala po ako na, siguro naman, to be...at to be fair at the very least, she must have a better appreciation of the documents that she is notarizing. Iyon lang po, Mr. Chair. Maraming salamat po.

THE CHAIRPERSON. Thank you, Congressman Jude Acidre.

REP. GARIN. Mr. Chair, very quick manifestation.

THE CHAIRPERSON. Yes, Cong. With the indulgence of Congressman Jil Bongalon.

REP. GARIN. Yes. One-liner lang po, Mr. Chair.

THE CHAIRPERSON. Yes, Congresswoman Janette Garin.

REP. GARIN. In the document that the Honorable Jude Acidre showed earlier, the notarial of Atty. Abella, on that of the...I think that was the statement, 'no, of Atty. Sanchez and Ma'am Villadelrey. Can we flash it, Mr. Chair, ComSec?

THE CHAIRPERSON. ComSec.

REP. GARIN. Iyong unang ipinakita...

(MS. GIALINA V. CEJES TOOK OVER)

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REP. GARIN. (Continuing)...unang ipinakita. Of course, the color of the handwriting, the signature of Honorable Atty. Abella is…Atty. Abella is blue, kapareho po ng…though a different shade, kapareho doon sa pirma ni Atty. Lopez at ni Sir Lemuel Ortonio. However, Mr. Chair, we can see na medyo payat siya. So, talagang hindi pangkaraniwan iyong matabang letra or matabang sulat and at the same time we can also say na talagang hindi ganoon na pangkaraniwan iyong ballpen na mataba iyong pirma at mataba iyong sulat. So, if we have hundreds or thousands of acknowledgement receipt na iyong sulat ay mataba, talagang malaki ang possibility na isa or dalawang tao lang ang gumawa.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

Congressman Jil Bongalon, you are recognized.

REP. RAUL ANGELO "JIL" D. BONGALON. Thank you, Mr. Chair. Just a few questions for Atty. Abella. May I just ask, kasali ba doon sa terms ng contract of service mo iyong pagno-notaryo ng mga dokumento ng Office of the Vice President, including the Department of Education?

MS. ABELLA. Not the Department of Education, Your Honor.

REP. BONGALON. But kasali doon sa contract of service mo iyong trabaho…to notarize documents for the OVP, correct?

MS. ABELLA. Yes, Your Honor.

REP. BONGALON. And aside from the certifications as well as the statements of Atty. Sanchez, including the statements of Ms. Villadelrey, what other documents did you notarize for the Office of the Vice President?

MS. ABELLA. Contract of service of employ…contract of service, Your Honor.

REP. BONGALON. What else other than the contract of service?

MS. ABELLA. Yes, Your Honor. There are accounting documents, Your Honor, for release of bonds from the accounting, Your Honor.

REP. BONGALON. So, it appears that your service was really engaged to notarize documents for the OVP.

MS. ABELLA. Among others, Your Honor.

REP. BONGALON. Last hearing, I asked Atty. Sanchez that she was the one who prepared the document and she has no idea that the document will be notarized. Now, my question is, who ordered you to notarize the document or the statements of Atty. Sanchez and Ms. Villadelrey?

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MS. ABELLA. Your Honor, the document...okay. The documents were sent to me and...the three of them, Your Honor. At that time...

REP. BONGALON. Who sent...sino ho nag-send sa iyo?

MS. ABELLA. Oo, it was sent to me by the head of the Legal, Your Honor...

REP. BONGALON. And who is?

MS. ABELLA. Who is Atty. Torrentira, Your Honor.

REP. BONGALON. So, I assume that he...Attorney?

MS. ABELLA. Torrentira, Your Honor.

REP. BONGALON. Is he a male or a female?

MS. ABELLA. Emily Torrentira. She's a female, Your Honor.

REP. BONGALON. A female lawyer.

MS. ABELLA. Yes, Your Honor.

REP. BONGALON. So, she was the one who sent the documents and I assume that she was the one who ordered you to notarize the documents.

MS. ABELLA. No, Your Honor. The...

REP. BONGALON. Why did you notarize the documents?

MS. ABELLA. Okay. Your Honor, at that time, it was a... May I be allowed to narrate, Your Honor, the circumstances?

REP. BONGALON. Yes, please.

MS. ABELLA. At that time, Your Honor, it was a Saturday. Beforehand, I was informed, and it was already a talk at the office, that they need to execute a document, an explanation. And, at that time, it was a Saturday and they have to comply with the order of this honorable office because the order required that their statement needs to be notarized. So, they called me, Your Honor. Before they sent the document days before, I already know...we already have knowledge, personal knowledge, that they will prepare an explanation.

On Saturday, they called me and it was an urgent matter because they need to comply with the order of this honorable court, Honorable Committee. So, since...at the exigency of service, Your Honor, the document was sent to me, to the office. To confirm my previous confirmation, I called them, I called them. And I have a copy of the document, Your Honor, and I asked them if this is the document they executed which should be notarized. And I also requested a copy of the...photocopy of ID of Atty. Lynne, Your Honor...Atty. Sanchez because she has no attached ID. So, when I called, Your Honor, it was a confirmation, a confirmation of my previous confirmation that this statement are theirs and that is their signature.

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And I remember, Your Honor, they also admitted that the notarized document refers to the statement that they gave to Atty. Torrentira.

REP. BONGALON. So, you were saying that you notarized the document by virtue of a confirmation that prior to the drafting or submission of that document, you already had the idea, or the personal knowledge as you have mentioned, that they have to submit a notarized or sworn affidavit.

MS. ABELLA. Yes, Your Honor.

REP. BONGALON. Would that be correct?

MS. ABELLA. Yes, Your Honor.

REP. BONGALON. Pero sinasabi ni Atty. Sanchez kasi, eh, wala siyang idea that the statement that she drafted and that she personally prepared na ino-notaryo. So, which is which, Atty. Sanchez?

MS. SANCHEZ. Mr. Chair, may I be recognized?

THE CHAIRPERSON. Atty. Sanchez, you are recognized.

MS. SANCHEZ. Yes. I recall that I mentioned that I did not know if it was actually notarized but I was aware that it had to be notarized. Hindi ko lang po alam kung natuloy because as stated during that hearing, due to lack of time since we...I only received the subpoena *ad testificandum* on November 8 and I had to submit it on November 9. So, I just merely requested the head of the Legal Affairs Division to submit my statement and I confirm, Your Honor, that it is the same statement which I prepared and signed that got notarized, Your Honor. Thank you, Your Honor.

REP. BONGALON. Anyway, Mr. Chair, I will not dwell anymore on the issue of the notarization and let me move on my next topic, this is with regard to the approval of the travel order of the Spouses Fajarda, including Gina Acosta. Let me direct my questions, Mr. Chair, to Mr. Ortonio.

Mr. Ortonio, you were the one who granted the travel order of Mr. Edward Fajarda, correct?

THE CHAIRPERSON. Mr. Ortonio, you are recognized.

MR. ORTONIO. Thank you, Mr. Chair. Yes, Your Honor.

REP. BONGALON. And that of Mrs. Sunshine Fajarda, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. May I know what is the period of the travel orders of the Spouses Fajarda.

MR. ORTONIO. For the first travel order, it's for November 11 to 15, and then 18 to 22.

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REP. BONGALON. November 11 to 15, and then?

MR. ORTONIO. 18 to 22.

REP. BONGALON. November 18 to 22. And may we know what was the purpose of their travel?

MR. ORTONIO. It's really for the monitoring... For Ms. Gina Acosta and Atty. Shine Fajarda, it's for the monitoring of the different activities of the OVP in relation to our anniversary and thanksgiving activities. For Mr. Fajarda, for November 11 to 15, it is to monitor the inventories of disaster-related activities. And then for November 18 to 22, it's for the monitoring and facilitation of OVP thanksgiving activities.

REP. BONGALON. Mr. Chair, may we know also the destination as reflected in those travel orders that were issued?

MR. ORTONIO. For November 11 to 15, for Atty. Shine Fajarda and for Ms. Gina Acosta, the destination is Davao City. And then for Mr. Fajarda, for November 11 to 15, it's for Caraga. And then for 18 to 22, it's various locations already.

REP. BONGALON. Various locations where?

MR. ORTONIO. Various locations not indicated in the travel authority but it's for locations where the VP would be attending.

REP. BONGALON. Various locations where? Can you cite province or region?

MR. ORTONIO. I'll check my records, Your Honor.

REP. BONGALON. Please check...

(MS. REGILYN B. ENCIO TOOK OVER)

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REP. BONGALON. (Continuing)...Please check.

While checking, Mr. Chair... Do you have the answer already?

MR. ORTONIO. Yes. Based on the...some of the itinerary where the VP was supposed to attend, there were locations within the Visayas and then some in Mindanao po.

REP. BONGALON. All right. So, again, it was also established that you are the one who approved the travel order of Ms. Gina Acosta?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. Correct. And, Mr. Ortonio, open-ended travels are frowned upon, would you agree with me?

MR. ORTONIO. Sorry, Your Honor?

REP. BONGALON. Open-ended travel orders are frowned upon, would that be correct? Would you agree with me?

MR. ORTONIO. I would say it's not common, but...it's not common.

REP. BONGALON. It's not common. And if the travel orders of the spouses Fajarda and including Ms. Gina Acosta, it merely state that they are authorized to travel in various places, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. And you mentioned those places somewhere or various places in Caraga, correct?

MR. ORTONIO. No, Your Honor. For various places, there are in Visayas and Mindanao...

REP. BONGALON. Visayas and Mindanao.

MR. ORTONIO. And some in Luzon.

REP. BONGALON. And who ordered these travel orders for spouses Fajarda and Gina Acosta?

MR. ORTONIO. I signed the document, Your Honor.

REP. BONGALON. You signed the document?

MR. ORTONIO. Yes.

REP. BONGALON. But who ordered them to travel in these places?

MR. ORTONIO. These are information coming from the Vice President.

REP. BONGALON. From the Vice President. And also, despite the knowledge that the Committee has invited these key individuals of the Office of the Vice President for

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the hearing on the use or the utilization of the confidential funds, among others, despite that, she ordered for these individuals to travel?

MR. ORTONIO. The advice, Your Honor, was prior to the information of the schedules of hearings. For the November 11 to 15, this was issued on November 6; and then, from...for 18 to 22, I already got the information around November 14, and then the travel order was issued November 15.

REP. BONGALON. And would you agree with me that because of these travels of spouses Fajarda including Ms. Gina Acosta, this caused their non-attendance in this Committee hearing, correct?

MR. ORTONIO. It may have contributed, Your Honor, but then again, Your Honor, the travel...the travel orders were already planned out already prior to the schedules of the Committee hearings.

REP. BONGALON. But would you agree with me also that despite issuance of these travel orders and despite advice that they were be...that they will be travelling on those dates, they have the option to attend, would that be correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. And would these travels were ordered by the Vice President precisely in attempt to avoid the hearings?

MR. ORTONIO. I wouldn't say, Your Honor, because the attendance for each of us in the OVP is really a personal decision, Your Honor. So, even with the travel orders being issued, if the personnel would really want to attend the Committee hearings, then they may not attend or they may not proceed with the activities that were assigned to them.

REP. BONGALON. Okay. Mr. Ortonio, you are aware that in the previous hearings, you were already invited, correct?

MR. ORTONIO. That's correct, Your Honor...Is it for the November 20 or November...

REP. BONGALON. And even prior to that hearings, you were invited already...

MR. ORTONIO. Yes, that's correct.

REP. BONGALON. ...by this Committee, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. And was there someone attempted to persuade you not to attend in this Committee hearing?

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MR. ORTONIO. No, Your Honor, it was a personal decision on my end, Your Honor.

REP. BONGALON. It was a?

MR. ORTONIO. Personal, personal.

REP. BONGALON. For personal decision?

And for the seventh hearing, that's the only time that you were able to attend in today's hearing, correct?

MR. ORTONIO. That's correct, Your Honor. But if I may, Your Honor, I mentioned earlier that I was supposed to attend last November 20, the hearing…

REP. BONGALON. But you were not here, correct?

MR. ORTONIO. Yes, Your Honor, I was able to relay already the reason why I was not present in the last hearing, because I prioritized the mental well-being and safety of one of my colleagues. She really pleaded, Your Honor, that I accompany her in today's hearing.

REP. BONGALON. And last hearing, November 20, you sent…the Committee is in receipt of a letter that you personally commit to attend last hearing, but you did not show up, correct?

MR. ORTONIO. That's correct, Your Honor, and I would like to apologize to the Committee for this one. And as…again, I mentioned already as to the reason why I was not able to attend in the last Committee hearing.

REP. BONGALON. Anyway, Mr. Chair, on another topic. Mr. Ortonio, you are familiar with the Audit Observation Memorandums issued by the COA to the Office of the Vice President, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. And as a matter of fact, you are one of the signatories in the replies of the OVP to the AOMs, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. And the other signatory is Atty. Zuleika Lopez, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. And in the hearing held last November 20, Atty. Zuleika Lopez stated, under oath, that you were the one who drafted these replies to the AOM, is that correct?

MR. ORTONIO. That is correct, Your Honor.

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REP. BONGALON. And as a matter of fact, Atty. Lopez stated that she merely signed the replies as a matter of due course since all external correspondences go through her office, is that correct?

MR. ORTONIO. That's correct, Your Honor, but I assume that she read the content of the letter.

REP. BONGALON. You assume that she read...

MR. ORTONIO. Yes, Your Honor.

REP. BONGALON. ...and understood the contents of the letter, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. Meaning, since Atty. Lopez has read, signed...and signed it, it is you who is responsible for its contents, correct?

MR. ORTONIO. I drafted the content, Your Honor, based on the information that was relayed to me by the special disbursing officer and the safety officer.

REP. BONGALON. So, if the contents of this reply to the AOMs are false or misleading, you are to blame?

MR. ORTONIO. Because I signed, I may be accountable to it. But then again, Your Honor, the information that was indicated in the letter came from the special disbursing officer and the security officer.

REP. BONGALON. You may be held accountable precisely because you signed...

MR. ORTONIO. I signed.

REP. BONGALON. ...the document.

Maliban dito, Mr. Ortonio, Atty. Lopez testified that she did not bother to look into the contents and attachments of these replies as she merely checked whether everything was in form or was in order, correct?

MR. ORTONIO. Unfortunately, I cannot confirm, Your Honor, because I wasn't able to listen to the previous hearing.

REP. BONGALON. So, can we just confirm? Did Atty. Lopez have any participation in the reply to the AOM aside from affixing her signature?

MR. ORTONIO. No, Your Honor, it was me who drafted it and then got information from the special disbursing officer and the safety officer.

REP. BONGALON. So, it was only you, she did not assist you in the preparation of that letter?

MR. ORTONIO. No, I got the information from the SDO and the security officer.

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REP. BONGALON. Mr. Ortonio, no draft or correspondence shall be released from the OVP without the approval as to the contents of the letters from Atty. Lopez as the Chief of Staff?

MR. ORTONIO. That's correct, Your Honor.

REP. BONGALON. And it is merely convenient for Atty. Lopez to state that she had no hand in the drafting of these replies to the AOM, correct.

MR. ORTONIO. I cannot answer that...

(MS. NERIZZA G. ONA TOOK OVER)

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MR. ORTONIO. (Continuing)...I cannot answer that, Your Honor. Maybe, it's Atty. Lopez who may be able to answer that.

REP. BONGALON. Okay. Probably, I can reserve that question for Atty. Zuleika.

Mr. Ortonio, you are also familiar with the OVP letter, dated August 21, 2024, addressed to COA. I'm referring to the subpoena *duces tecum* issued by the Committee on Appropriations of the House of Representatives.

MR. ORTONIO. That's...

REP. BONGALON. Are you aware of that document?

MR. ORTONIO. I am aware of that document, Your Honor.

REP. BONGALON. And this is true even without your signature on the letter itself?

MR. ORTONIO. Yes, Your Honor.

REP. BONGALON. However, according to Atty. Lopez in the previous hearing, she again put the blame on you as the one who drafted the letter.

MR. ORTONIO. I initially drafted the document, Your Honor. However, because...because I am not a lawyer, I had to consult the legal team in terms of having to incorporate and make the document to have a legal tone to it.

REP. BONGALON. Alright. So, you mentioned you initially drafted.

MR. ORTONIO. Initially drafted, Your Honor.

REP. BONGALON. And who finalized that document?

MR. ORTONIO. I consulted the legal team on this one.

REP. BONGALON. And the legal team is composed of?

MR. ORTONIO. Uhm, for the legal team, it's part of our legal affairs unit po.

REP. BONGALON. And who are these individuals?

MR. ORTONIO. Uhm, part of which are our head of our Legal Affairs.

REP. BONGALON. And that is the reason why in that letter, you cited legal terms, such as "principle of separation of powers" and also "due process".

MR. ORTONIO. That's correct, Your Honor. In consultation.

REP. BONGALON. You are not a lawyer, correct?

MR. ORTONIO. No, I am not a lawyer, Your Honor.

REP. BONGALON. Yet, you signed that document and argued with legal basis for supporting your claims stated in the letter, correct?

MR. ORTONIO. That's correct, Your Honor.

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REP. BONGALON. Since Atty. Lopez is a lawyer, she is more competent to cite and write on these legal explanations, in principles. Would that be correct?

MR. ORTONIO. Uhm, because she is a lawyer, she may be more knowledgeable on anything that is legal-related.

REP. BONGALON. So, between the two of you, she's more knowledgeable with these legal terms and principles, as indicated in that letter?

MR. ORTONIO. Yes, Your Honor.

REP. BONGALON. And probably, I assume that she is part of the team that reviewed that document.

MR. ORTONIO. She probably reviewed it already when the document was already sent to her.

REP. BONGALON. Did she ask you to sign that letter?

MR. ORTONIO. The document, I did not sign, Your Honor. She is the signatory.

REP. BONGALON. Alright. Anyway...

MR. ORTONIO. She's the signatory.

REP. BONGALON. Mr. Chair, I would like to end my interpellation, Mr. Chair. Thank you.

REP. KHONGHUN. Thank you, Congressman Bongalon.

Next to interpellate is the Honorable Manuel.

REP. MANUEL. Thank you, Mr. Chair.

Mr. Chair, iyung first questions ko ay ia-address ko kay Ms. Sunshine Fajarda.

REP. KHONGHUN. Go ahead.

REP. MANUEL. Ms. Sunshine Fajarda, tama po ba, kayo ay lawyer?

MS. FAJARDA. Yes, Mr. Chair.

REP. MANUEL. Okay.

Mr. Chair, since our resource person is a lawyer, unlike me and the millions of Filipinos who are not lawyers, then we expect much from these kinds of people, lalo na't lawyers should not use their knowledge of the law para abusuhin iyung ating mga sistema. Would our resource person agree?

MS. FAJARDA. Yes, Mr. Chair.

REP. MANUEL. Okay.

Mr. Chair, tama ba na mayroon...noong...kailan...hanggang kailan po kayo sa DEPED nag-serve as officer?

MS. FAJARDA. I served until July 15, Mr. Chair.

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REP. MANUEL. July?

MS. FAJARDA. 2024.

REP. MANUEL. Okay.

Noong time ninyo sa DEPED ay nandiyan na ba in place ang no-gift policy?

MS. FAJARDA. Uhm, yes, Mr. Chair. When it was...it is a policy of the Vice President and Secretary.

REP. MANUEL. Is our resource person familiar kailan nagsimula ang no-gift policy sa DEPED?

MS. FAJARDA. When she started her term in the DEPED, Mr. Chair.

REP. MANUEL. Ibig sabihin, noong nag-start iyung term niya, at sa time din na siya ay DEPED Secretary, si Ms. Sunshine Fajarda ay naging bahagi rin ng DEPED family, in place na ang no-gift policy?

MS. FAJARDA. Yes, Mr. Chair.

REP. MANUEL. Mr. Chair, I'd like to know iyung pagtingin ni Ms. Sunshine Fajarda kung tama po ba o mali na mag-abot ng pera ang isang top official ng isang ahensya sa iba pang top officials kung mayroon siyang gustong hingiin na pabor.

MS. FAJARDA. Mr. Chair, that's wrong. But if you are going to ask me...

REP. MANUEL. I did not ask you, Mr. Chair.

Mr. Chair, our resource person need not be defensive doon sa pagsagot.

MS. FAJARDA. Okay.

REP. MANUEL. Ang tinatanong ko lang po, kung pagtingin ninyo, tama po ba o mali ang ganoong pangyayari. So, pagtingin po ninyo ay mali iyon?

MS. FAJARDA. Uhm, naturally, it's wrong. Yes.

REP. MANUEL. It's wrong.

MS. FAJARDA. Yes.

REP. MANUEL. Mr. Chair, kahit anong form ng pag-abot ng pera? Halimbawa, naka-envelope, mali po iyon?

MS. FAJARDA. Uhm, Mr. Chair, it depends if it's just a form of gratitude. It will depend on the circumstances, Mr. Chair. There is no...

REP. MANUEL. Mr. Chair, this question is connected doon sa naunang tanong, kung iyung objective noong pag-aabot ng pera ay para mag-secure ng pabor iyung isang top official sa iba pang top official ng ahensya.

MS. FAJARDA. Is this hypothetical, Mr. Chair?

REP. MANUEL. Yes, Mr. Chair.

MS. FAJARDA. Okay. If it's hypothetical, yes.

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REP. MANUEL. Okay.

Mr. Chair, ibig sabihin, in whatever form? Halimbawa, iyung pera electronic, through electronic means ipinadala, mali din iyon?

MS. FAJARDA. Uhm, it will depend on the circumstances again, Mr. Chair.

REP. MANUEL. It's connected again doon sa previous question, Mr. Chair.

MS. FAJARDA. But if it's for a favor, yes, I believe so, Mr. Chair.

REP. MANUEL. Na mali na magpadala, kahit ano'ng form, kahit electronic? So, electronic man or naka-envelope, pagtingin po ng ating resource person na isang abogado, mali iyon?

MS. FAJARDA. It will depend, Mr. Chair, again, on the reason.

REP. MANUEL. Mr. Chair, we request our resource person na maging responsive po doon sa mga tanong given that I already asked, doon sa unang tanong pa lang, na kung iyung objective ng pag-abot ng pera ay para mag-secure ng mga pabor.

So, again, Mr. Chair, kung iyung purpose noong pag-abot ng pera ay mag-secure ng pabor iyung isang top official sa iba pang top official, whether electronic man iyan o naka-envelope, mali po iyon? Ano pagtingin po ng ating resource person?

MS. FAJARDA. Yes, Mr. Chair.

REP. MANUEL. Mali? Mali po?

MS. FAJARDA. Yes.

REP. MANUEL. Okay. Mr. Chair, kung may ganoong pangyayari na may isang top official na nag-abot ng pera sa iba pang top official, halimbawa naka-envelope, mali po ba o tama na hayaan iyan ng head of agency?

MS. FAJARDA. Uhm, again, if you are anchoring your question to the first premise...

REP. MANUEL. Yes.

MS. FAJARDA. ...which is asking for a favor, yes, it's wrong.

REP. MANUEL. Mr. Chair, mali rin ba na hindi lang basta hayaan, pero kung iyung head of agency ay mismong nag-utos ng ganoon?

MS. FAJARDA. Yes, Mr. Chair.

REP. MANUEL. Mali rin iyon?

MS. FAJARDA. Yes, Mr. Chair.

REP. MANUEL. Mr. Chair, kung iyung head of agency ay nag-utos sa kanyang opisyal na mag-hand out ng mga naka-envelope na pera as form of allowances to secure favors, mali din ba iyon?

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MS. FAJARDA. Yes, Mr. Chair.

REP. MANUEL. Mr. Chair, again, with the same context sa mga previous na questions, regardless kung ano pa iyung source, mali ba ang ganoong practice, na ang isang head of agency, utusan ang kanyang opisyal na mag-hand out ng ganoong mga pera as form of allowance?

MS. FAJARDA. Uhm, based on my previous answers, Mr. Chair, yes.

REP. MANUEL. Na mali?

MS. FAJARDA. *(Nodding)*

REP. MANUEL. Sige.

Mr. Chair, mali po o tama na kung may ganoong iaabot na pera to secure favors, kung kukunin iyan sa regular fund, mali po ba o tama?

MS. FAJARDA. What do you mean regular fund, Mr. Chair?

REP. MANUEL. Regular fund ng isang agency.

MS. FAJARDA. Uhm, to secure favors, mali pa rin, Mr. Chair.

REP. MANUEL. Mali. Mr. Chair, to secure favors, mag-aabot ng pera, as form of allowance, at kukunin sa confidential fund, mali po ba o tama?

MS. FAJARDA. Definitely, mali, Mr. Chair, because confidential funds, they have specific uses.

REP. MANUEL. Mr. Chair, sa pagkakaalam po ng ating resource person, saan ba dapat—kung assuming mayroon—saan po dapat ginagamit ang confidential fund?...

(MS. THELMA M. RETUBA TOOK OVER)

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REP. MANUEL. (Continuing)... ginagamit ang confidential fund?

MS. FAJARDA. Saan po ginagamit ang confidential funds? I'm not really that familiar, Mr. Chair, because...but I know that it is under JMC 2015-01. There are specific uses for that.

REP. MANUEL. At mayroon ding bang batas na nagsa-cite na dapat sundin ang ganoong Joint Circular 2015-01?

MS. FAJARDA. JMC itself is the law, Mr. Chair, on confidential funds.

REP. MANUEL. Mr. Chair, iba po ang circular sa batas. So, then again, kung ire-refresh po ng ating resource person who is a lawyer iyong mga basis for the use of confidential fund, tingin po ba natin mayroon pang ibang basis citing that Joint Circular?

MS. FAJARDA. That's the only basis that I know of, Mr. Chair. I'm not really that familiar as to the different or other laws on confidential funds.

REP. MANUEL. So, Mr. Chair, para po ma-enlighten iyong ating resource person, pati po iyong iba rin, kasi kanina, Mr. Chair, noong tinatanong po si Ms. Gina Acosta, siya na po mismo ay SDO ng OVP, hindi din niya alam iyong kanyang papel and I'm troubled, Mr. Chair, kung ganoon pala ang level of awareness noong mga nasa OVP at saka DEPED regarding confidential funds. Iyong JC 2015-01, iyan po ay sina-cite ng mismong General Appropriations Act, which is a law. Kaya po, ibig sabihin, kapag may mga lumabag doon sa paggamit ng ganoong Joint Circular, eh, puwede ding lumabag sa batas dahil po iyan ang mina-mandate na dapat sundin when it comes to the use of confidential fund.

To proceed, Mr. Chair. Kapag sa case po ninyo, in the event na mayroon po kayong nalaman na mayroong gumamit ng confidential fund to hand out so-called allowances of top officials of an agency, ano po ang gagawin ninyo?

MS. FAJARDA. Hypothetically again, Mr. Chair, of course, if I know someone who does that, it has to be reported.

REP. MANUEL. So, kung kayo po may ganoon kayong nalaman, nakuhang impormasyon, kanino po ninyo ire-report?

MS. FAJARDA. I think it has to be reported to the Commission on Audit, Mr. Chair.

REP. MANUEL. So, as an official of an agency, didiretso po kayo sa COA?

MS. FAJARDA. I'm not really that familiar on how to report such cases, Mr. Chair, but yes or it can be through the Ombudsman or through any other agency which can actually look into and investigate on the matter.

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REP. MANUEL. Hindi ninyo ito isusumbong sa nakakataas na opisyal?

MS. FAJARDA. Yes, Mr. Chair, it can also be through the highest official of the agency which handles the said agency.

REP. MANUEL. Mr. Chair, paano naman po if ever na mismong higher official ang nag-utos sa inyo na gamitin ang confidential fund for the purpose of handing out allowances to other top officials? In that event, ano po ang gagawin ninyo?

MS. FAJARDA. Again, these are all hypothetical, Mr. Chair.

REP. MANUEL. Yes, Mr. Chair. I think that's already clear and our resource person, again, does not have to be defensive.

MS. FAJARDA. I just want to check, Mr. Chair, why am I being asked these things? These are all hypothetical, why am I being asked these things?

REP. MANUEL. Mr. Chair, I think we have already established kanina na bahagi ito ng deliberasyon ng ating Komite. And I advise, for the third time, iyong ating resource person na huwag pong masyadong maging defensive kasi po ito ay bahagi noong pag-check natin dahil nga lumitaw na sobrang naabuso ang confidential funds.

So, we'd like to know from those who have served actually top positions sa ating mga ahensiya, ano ba iyong pagtingin doon sa nakita nating mga nangyari? So, we want to see how we can have better safeguards doon sa pera ng bayan. So, again, kung wala naman pong itinatago iyong ating resource persons and we are asking possibilities, 'di po kailangang maging defensive.

So, iyon na po ang huling tanong ko actually.

MS. FAJARDA. Nakakalito lang po kasi.

REP. MANUEL. So, kailangan lang pong sagutin ng ating ating resource person.

MS. FAJARDA. Okay. Sige po.

THE CHAIRPERSON. Ms. Sunshine Fajarda...

MS. FAJARDA. So, your questions was, the last question was...can you repeat, Mr. Chair.

REP. ADIONG. Point of order, Mr. Chair. Point of order.

THE CHAIRPERSON. What is the point of order of Honorable Zia Adiong.

REP. ADIONG. May I remind our resource persons to speak when they're being recognized.

MS. FAJARDA. Yes, Mr. Chair.

REP. ADIONG. Thank you.

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MS. FAJARDA. I apologize, Mr. Chair.

THE CHAIRPERSON. And please...okay. At saka hindi po kayo pupuwedeng magtanong ng question. So, parang itinatanong...ako po ang tinatanong ninyo, eh.

MS. FAJARDA. I apologize, Mr. Chair.

THE CHAIRPERSON. Yes, please continue, Congressman Manuel.

REP. MANUEL. Thank you, Mr. Chair.

Mr. Chair, kung mayroong higher official na nag-utos sa inyo na gamitin ang confidential funds for the purpose of handing out allowances in the form of cash na naka-envelope to other top officials in your agency, ano ang gagawin ninyo kung sakali?

MS. FAJARDA. That official may be reported to the Ombudsman, Mr. Chair.

REP. MANUEL. So, ibig sabihin, you are ready to file a complaint against that higher official?

MS. FAJARDA. If that is the case. If it is true, Mr. Chair.

REP. MANUEL. And you are willing na ilahad ang iyong nalalaman?

MS. FAJARDA. If that is an actual circumstance, Mr. Chair, of course, Mr. Chair.

REP. MANUEL. Okay. So, hayun, nasagot naman pala, Mr. Chair. So, iyon lang iyong mga tanong ko so far for Ms. Sunshine Fajarda. And, again, we would like to remind her, at iyong iba ding mga opisyal na imbitado dito, Mr. Chair, na iyon, kung wala pong itinatago ay dapat po hindi matakot sumagot.

At, in fact, kung mayroon pong nalalaman na dapat ay alam ng Komite, alam ng taong bayan, mainam po na mag come forward at magsalita kasi, Mr. Chair, then again ang pinag-uusapan natin dito, hindi ito pera ng iilan. Kahit po iyong mga kababayan natin na hindi po well-versed doon sa batas, I'm sure no one even...iyong mga lawyers po natin know everything, pero alam po ng taong bayan na basta pera ng bayan dapat ginagamit ng tama.

Mr. Chair, next question ko po will be addressed to Mr. Lemuel Ortonio.

THE CHAIRPERSON. Mr. Lemuel Ortonio, you are recognized.

MR. ORTONIO. Thank you, Mr. Chair. Maayong gabii, Your Honor.

REP. MANUEL. Mr. Chair, si Mr. Ortonio po ba ay abogado din?

MR. ORTONIO. No, Your Honor, I'm not a lawyer.

REP. MANUEL. Okay. But the Chief of Staff of the OVP is a lawyer. Am I correct?

MR. ORTONIO. That's correct, Your Honor.

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REP. MANUEL. How about the Vice President?

MR. ORTONIO. Yes, the Vice President is a lawyer.

REP. MANUEL. She is a lawyer?

MR. ORTONIO. Yes.

REP. MANUEL. Okay. Mr. Chair, kasi kanina sa mga tanong po kay Mr. Ortonio, marami po siyang pinirmahang documents in relation to the use of confidential funds, pero kapag tinatanong na kung paano nagamit, paano ipinapaliwang, paano ginamit, several responses po, Mr. Chair, ay itinuturo ang security officer na pinagbigyan noong buo-buong confidential funds.

So, Mr. Chair, gusto ko lang malaman, ngayong ito na ang lumilitaw na ganoon pala ang sistema kung paano ini-encash, tapos paano ipinapasa iyong pera na kahit iyong mismong SDO, si Ms. Gina Acosta, ay hindi din niya masagot iyong mga tanong kasi nga hindi niya ginampanan iyong kanyang papel ng maayos as SDO. Sa pagtingin po ba ni Mr. Ortonio ay tama lang ba ang ganoong naging practice sa Office of the Vice President in terms of handling the confidential funds?

MR. ORTONIO. Based on the process that was mentioned earlier by Ms. Acosta, I would see that there is no parang deficiency in terms of the process that was employed to implement the confidential activities in using the confidential funds.

REP. MANUEL. Ibig sabihin, sa pagtingin po, Mr. Chair, ni Mr. Ortonio na iyong SDO in-encash ng buong-buo iyong confidential funds mula sa isang tseke, tapos ibinigay din ng buo doon sa security officer, tapos iyong security officer iyon pa ang nakakaalam saan napunta, tapos sasabihin po ng Chief of Staff hindi niya alam paano nagamit, kahit po iyong SDO hindi rin alam, tingin ninyo po okay lang iyon?

MR. ORTONIO. I would assume na yes, it's acceptable, considering that, as mentioned by Ms. Acosta, she is not familiar with how it is being operated on the field...

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MR. ORTONIO. (Continuing)...operated on the field and the only person who would have the expertise would be the security officer. That's my understanding.

REP. MANUEL. Mr. Chair, to continue, ibig sabihin po okay lang iyong isang sistema kung saan kahit po si Mr. Ortonio na pumirma doon sa several documents regarding confidential funds, wala rin po siyang masagot na maayos kapag pag-uusapan ay saan napunta. Pero bahagi po sila noong mga opisyal na puwede pong managot kapag napatunayan na mayroong pera na hindi nagamit nang tama o hindi na natin alam saan napunta. Are you fine with that kind of system in place?

MR. ORTONIO. Yes, Your Honor, because I believe that...it is of my personal belief, 'no, na the process is...okay iyong process niya. There is nothing that I see personally that is deficient.

REP. MANUEL. Okay. I'm kinda...I'm still in a state of shock, Mr. Chairman, sa ganoong tipo ng perception hanggang ngayon, Mr. Chair. So, kung okay lang pala dahil nga mayroong lumitaw na Mary Grace Piattos na pumirma doon sa isang acknowledgment receipt na pinaggamitan ng confidential funds ng Office of the Vice President, again, may I confirm na galing din po kayong Davao?

MR. ORTONIO. That's correct, Your Honor.

REP. MANUEL. Where in particular po sa Davao Region?

MR. ORTONIO. Davao City.

REP. MANUEL. Davao City. And can you also attest na mayroong mga may apelyidong Piattos sa Davao City?

MR. ORTONIO. I'm not familiar if there is, specifically, Piattos in Davao City, but it can be that there is a Piattos in Davao. But, personally, I do not know of someone, personally.

REP. MANUEL. Kasi, Mr. Chair...well, madali din naman pong i-check online somehow, puwedeng ma-quick check. Ako po, Mr. Chair, I'm not from Davao; I'm from Iloilo City. Pero, Mr. Chair, noong tsinek (*check*) natin kung mayroong nagkaka-apelyido ng Piattos, Mr. Chair, single T lang. Mayroong may mga apelyidong ganoon pero hindi double T. Kaya, Mr. Chair, if even our resource person, who is from the Davao Region itself, hindi din po makapag-attest talaga or even say na mayroon siyang familiarity na may tao na may ganoong apelyido, then that really begs the question—sino talaga iyong taong ito?

Mr. Chair, lalo na't dapat, supposedly, bahagi po kayo ng mga pumirma to request the confidential funds, so sa personal ninyo pong pagtingin, tingin ninyo po

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ba ay kung iyong...itong buong pangalan, Mary Grace Piattos, tingin ninyo po ba may ganitong tao talaga?

MR. ORTONIO. I cannot say that there is someone na Mary Grace Piattos, specifically, iyong name, but it can be that there is someone named Mary Grace Piattos.

REP. MANUEL. So, ibig sabihin, Mr. Chair, si Mr. Ortonio tingin niya ay maniniwala siya na may ganitong tao na may pangalang Mary Grace Piattos, with the double T?

MR. ORTONIO. Yes, that's correct, Your Honor, I would.

REP. MANUEL. Okay. Mr. Chair, now, I proceed to Mr. Edward Fajarda, former SDO ng DEPED. Kasi lumitaw din po iyong si Kokoy Villamin, iyong may acknowledgment receipts sa OVP, mayroon din sa DEPED, same name, magkaiba iyong pirma. Kung kayo po, tingin ninyo ba posible na mayroong isang tao tapos mayroon siyang, at least, dalawang magkaibang pirma?

MR. FAJARDA. Mr. Chair...

REP. MANUEL. Yes or no lang po. Tingin ninyo po ba okay iyon?

MR. FAJARDA. Can I explain first before I say yes or no?

REP. MANUEL. Gusto ko po munang malaman kung tingin ninyo po posible na iyon, may ganoong sitwasyon.

MR. FAJARDA. Possible. Possible po, Your Honor.

REP. MANUEL. Possible. Paano po siya puwedeng maging posible?

MR. FAJARDA. Kasi po sa akin lang pong pananaw kapag...sa akin lang po ito, ha. Hindi ko po kasi...hindi po talaga ako expert diyan. Pero kung ako po ay isang nabayarang informant, hindi po talaga ako magbibigay ng tunay kong pangalan kasi madedelikado po kasi ang buhay ko. So, posibleng may nagaya pong pangalan, so iba po ang pirma. Sa akin lang po iyan.

REP. MANUEL. Posibleng nagaya ang pangalan. Out of hundreds of possible first names and out of hundreds or even thousands of surnames, eh, posibleng randomly mayroong isang Kokoy Villamin na lumitaw sa OVP, mayroon din po sa DEPED.

MR. FAJARDA. Sa akin lang pong...

REP. MANUEL. Tingin ninyo po posible iyon.

MR. FAJARDA. Sa akin lang pong paningin posible po kaya po siguro magkaiba ang pirma. Sa akin lang po iyan, Mr. Chair.

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REP. MANUEL. Tingin ninyo po.

MR. FAJARDA. Pero hindi naman po ako expert diyan.

REP. MANUEL. Pero bilang naging former Special Disbursing Officer, kung kayo po iyong nakatanggap noon, ano po'ng iisipin po ninyo?

MR. FAJARDA. Mr. Chair, kasi hindi naman po ako expert pero kung ako po ido-double-check ko po siguro.

REP. MANUEL. Ido-double-check?

MR. FAJARDA. Opo.

REP. MANUEL. So, dahil po naging Special Disbursing Officer po kayo ng DEPED at nag-handle po ng confidential funds, noong na-submit na po, na-compile na iyong mga acknowledgement receipt, na-check ninyo po ba lahat ng iyon para ma-encounter iyong Kokoy Villamin?

MR. FAJARDA. Mr. Chair, ang gini-check ko po kasi sobrang dami po niyan, eh, maghahabol po ako sa time, sa oras po kasi may ano po iyan, eh. 'Pag sina-submit po iyan, 30 days after the quarter, so hindi...Actually, kulang po iyong 30 days bago ko po makuha iyong kumpleto, lahat-lahat. So, ang tsine-check ko lang po diyan ay iyong kung may pangalan, pero hindi ko na po...basta may sulat, may pirma, at saka po iyong amount, Mr. Chair.

REP. MANUEL. Mr. Chair, balikan ko po si Mr. Ortonio. Kayo po, tingin ninyo posible na may isang tao na mayroong dalawang magkaibang pirma?

MR. ORTONIO. It can be, Your Honor.

REP. MANUEL. Puwede din?

MR. ORTONIO. It can be. That's my personal opinion.

REP. MANUEL. Kung kayo po, paano? Tingin ninyo, paano?

MR. ORTONIO. It can be na...it can be it's...iyong initial niya, counter signature, or the other one is a full signature.

REP. MANUEL. Mr. Chair, kasi based doon sa documents na napakita dito sa Komite ay mayroon talagang pirma pero pareho po iyong pangalan. At kung kayo po ay isa doon sa mga top officials ng Office of the Vice President ay mananagot po kayo doon kapag hindi talaga mapatunayang totoong tao iyong mga iyon.

So, would you still stand by your belief na posible po that to prove how public funds were used, okay lang na mayroong gumami...may naka-receive na ganoong tao na mayroong dalawang magkaibang pirma?

MR. ORTONIO. It can be, Your Honor, but, of course, subject to verification.

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REP. MANUEL. So, kung kayo po malalaman ninyo na may ganoon pala, ano iyong gagawin ninyo?

MR. ORTONIO. Double-check, Your Honor, double-check and verify.

REP. MANUEL. Okay. Mr. Chair, hearing that, actually, lalo ko pong naiintindihan bakit nangyari itong hindi talaga kapani-paniwala at actually horrifying na paggamit ng confidential funds kasi pala ganito iyong mga opisyal na mayroon iyong OVP at saka DEPED at ito iyong mga pinamunuan ng Bise Presidente. Mr. Chair, kung ganito iyong standards na mayroon sa ganitong mga institusyon, no wonder na ganito pala iyong nangyari.

Mr. Chair, last few questions kay Atty. Rhoscel Abella. Mr. Chair, kanina din na-expound kung paano na-produce iyong mga certifications. Mr. Chair, kay Atty. Abella, hindi po ba kayo nag-dalawang-isip na mag-notaryo noong mga certifications na mayroong blank, mayroon ding walang personal appearance?

MS. ABELLA. Your Honor, referring to what document, Your Honor?

REP. MANUEL. Iyong kanina, iyong sa interpellation ni Cong. Acidre...

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REP. MANUEL. (Continuing)...interpellation ni Cong. Acidre.

MS. ABELLA. The...can you...can we have...can...can we...

REP. MANUEL. Iyong certifications ng OVP...

MS. ABELLA. ...specify, Your Honor?

REP. MANUEL. ...saka DEPED. Iyong...iyong kanina po. It's fresh. I couldn't assume na nalimutan po ninyo, pero iyong mga pinakita po.

MS. ABELLA. Yes. Your Honor, as I've mentioned, while it's not written on the document...Your Honor, I would...may...May I request that the document be specific, Your Honor, so that I can accurately answer because there are several documents.

REP. MANUEL. Napakita po kanina iyon.

MS. ABELLA. Your Honor, madaming document na pinakita po, Your Honor.

REP. MANUEL. Okay.

We can request the help of the technical staff, pero iyong isa doon ay dapat dalawa iyong sinasabing nag-appear personally. Isa doon si VP Sara pero hindi siya nag-personally appear.

MS. ABELLA. Yes, Your Honor. The document is an attestation, Your Honor. So, when we attest, Your Honor, the one who is executing the document is the special disbursing officer. The attesting officer...

REP. MANUEL. Mr. Chair, I think na-establish na po kanina na, supposedly, kung dalawa iyong nakalagay na pangalan tapos "and" pa siya, dalawa po sila...

MS. ABELLA. No, Your Honor. We...we...

REP. MANUEL. Mr. Chair, the resource person is not yet recognized. So, I should be allowed to finish...

MS. ABELLA. Your Honor, I have...I am not finished answering, Your Honor. My answer was interrupted.

REP. MANUEL. I'm not finished with my question.

THE CHAIRPERSON. Attorney.

MS. ABELLA. ...*(Inaudible/Microphone not activated)* sufficient time to answer because my answer was incomplete.

THE CHAIRPERSON. Attorney. Atty. Abella.

MS. ABELLA. Yes, Your Honor.

THE CHAIRPERSON. Huwag po kayong makipagsabayan. Antayin po ninyong matapos iyong tanong bago po kayo sumagot.

MS. ABELLA. I apologize, Your Honor.

THE CHAIRPERSON. Okay. So, Congressman Manuel.

REP. MANUEL. Yes. Thank you, Mr. Chair.

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Mr. Chair, I think napaka-basic din naman po ng tanong ko. We have already heard kanina ano iyong mga ginawa pala ni Atty. Abella mula doon sa interpellation ni Cong. Acidre. Actually, gusto ko nga pong…gusto ko nga…gusto ko pa nga po na marinig, 'no, iyon…kung noong ginawa po iyon or bago pa nga magawa ay hindi man lang ba nagdalawang-isip na hindi ito iyong tamang gawin na mag-notaryo sa mga dokumento na blank or wala iyong personal appearance?

MS. ABELLA. Yes, Your Honor. Referring to the certifications, Your Honor, the document was executed by the special disbursing officer. On the part of the attestation, Your Honor, ang understanding ko po diyan ay she was witnessing, Your Honor. And under the COA rules, Your Honor, ang talagang nag-o-oath, Your Honor, I think, it's Section 4.15, Your Honor, the one taking that oath is the SDO, Your Honor, that's why she is the one who is required to have a personal appearance. Iyon po iyong understanding ko, Your Honor.

REP. MANUEL. So, Mr. Chair, kung hindi po nagdadalawang-isip si Atty. Abella and she stands with what she did that gusto ko nga…gusto ko pa pong makita kung mayroong remorse man lang or any sense na posibleng baka naisip niya ay hindi tama iyong ginawa niya, tapos mapaisip man lang siya na puwedeng makahingi siya ng tawad dito sa Komite natin, or sa taong-bayan kasi we owe it to the Filipino people, Mr. Chair. Pero ina-argue pa po na okay lang iyong ginawa. Pero kahit po elementary, Mr. Chair, makakaintindi na kung dalawa iyong nakalagay tapos "and" pa po iyong word doon, ibig sabihin talaga, iyong dalawa ay dapat mag-appear personally kay Atty. Abella.

So, Mr. Chair, for me to conclude with my interpellation, mula sa mga narinig po natin at doon din sa mga sagot ng mga natanong natin, na pinapanindigan po talaga nila iyong kanilang mga ginawa. Mr. Chair, ang dating talaga sa akin, iyong Office of the Vice President, tsaka DEPED, under Sara Duterte, it needed people who either are lawyers who know what they are doing, but they still decided to abuse what they know. Tapos nandiyan din iyong mga opisyal naman na hindi sila nilu-loop in sa paano talaga ginagamit iyong pondo. Kinailangan po ang kaalaman ng ganitong mga abogado para sa acknowledgment receipt factory, Mr. Chair, at para sa certification factory, para lang i-defend iyong pag-abuso sa confidential funds. Kinailangan ang acknowledgment receipt factory saka ang certification factory dahil hindi maipaliwanang nang tama kung paano ginamit ang confidential funds.

Iyon lang, Mr. Chair. Maraming salamat.

THE CHAIRPERSON. Thank you, Congressman Manuel.

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The Chair would like to recognize the next interpellator, the Honorable Marcoleta.

REP. MARCOLETA. Maraming salamat po, Mr. Chair.

Mr. Chair, may I direct my questions to the members or representatives of the Commission on Audit.

THE CHAIRPERSON. Attorney—sino'ng nandiyan?—Camora. Okay.

REP. MARCOLETA. Mr. Chair, I would like to ask the representative from COA in regard to Article IX (d), Section 2, paragraph 1 of the 1987 Philippine Constitution, which states that, "The Commission on Audit shall have the power, authority and duty to examine, audit, and settle all accounts pertaining to the revenue and receipts of and expenditures or uses of funds and property." You understand this provision, Madam?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. This provision is constitutional.

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. And this is related to Section 25 of Presidential Decree 1445 or the State Audit Code of the Philippines, which is statement of...Statement of objectives. It says that, "In keeping with its Constitutional mandate—this in relation to the provision in Constitution I previously referred to you—the Commission adheres to the following primary objectives, I'm quoting paragraph 2, Mr. Chair, which states: "To develop and implement a comprehensive audit program that shall encompass an examination of financial transactions, accounts, and reports, including evaluation of compliance with applicable laws and regulations." You are also familiar with this provision?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. And under Section 26, with title General Jurisdiction, "The authority and power of the Commission, meaning COA, shall extend to and comprehend all matters relating to auditing procedures, systems and controls, *et cetera, et cetera*. The examination and inspection of the books, records, and papers relating to those accounts; and the audit and settlement of the accounts of all persons respecting funds or property received or held by them in an accountable capacity, *et cetera, et cetera*." You are still familiar with this provision?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. These are all provisions which give mandate to COA in the examination, audit and settlement of public funds. I am correct?

MS. CAMORA. Yes, Mr. Chair.

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REP. MARCOLETA. Mr. Chair, I'd like to ask the representative from COA if the Constitution allocated this particular mandate to other agencies or offices of government other than COA.

MS. CAMORA. Mr. Chair, the...it is exclusive to the COA.

REP. MARCOLETA. It is exclusive to the COA. COA alone has the mandate and authority to perform all these functions...

MS. CAMORA. Audit, Mr. Chair.

REP. MARCOLETA. ...I read...I just read before you. Is that correct?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. In issuing the audit observation memo to the Office of the Vice President, what are the processes involved in order to complete the examination in relation to this action, Madam?

MS. CAMORA. What...What the actions, Mr. Chair?

REP. MARCOLETA. Para makumpleto po ninyo iyong audit observation memo na inisyu po ninyo sa Opisina ng Vice President, ano po iyong nararapat gawin...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. MARCOLETA. (Continuing)...nararapat gawin nila para sa ganoon matugunan po iyong action na ginawa po ng COA?

MS. CAMORA. As to the AOM, Mr. Chair, kailangan po nilang mag-submit ng compliance doon sa observations namin, Mr. Chair.

REP. MARCOLETA. Ilan-ilan pong mga requirements ang dapat gawin para po matugunan nila iyong requirements na hinihingi po ng audit observation memo?

MS. CAMORA. Kung ano po iyong nasa audit observation memoranda...memorandum, Mr. Chair.

REP. MARCOLETA. Puwede po bang i-enlighten niyo kami kung ano-ano po iyong mga iyon para sa kapakanan po naming lahat at lahat po ng nakapakikinig nitong ating pinag-uusapan?

MS. CAMORA. Mr. Chair, depende nga po kung ano iyong content ng AOM. So, if there are two observations eh, di malamang po dalawa po iyong iko-comply. If there are five, five po ang iko-comply.

REP. MARCOLETA. Kaya nga po, Mr. Chair, I am referring to the audit observation memo that you issued to the Office of the Vice President.

MS. CAMORA. What period po? Kasi...

REP. MARCOLETA. Ito pong pinag-uusapan natin ngayon.

MS. CAMORA. Kasi iyong pinag-uusapan po natin, mayroon po from 2022, mayroon din pong tatlo from 2023.

REP. MARCOLETA. Iyon nga po. Hindi po ba pinagsama na po iyon at iyan po iyong subject ng inquiry ng Komiteng ito, at dahil nga po doon, Mr. Chair, ay inadbaysan *(advise)* po yata kayo sa pamamagitan ng isang sulat, kung hindi po ako nagkakamali si Ginoong Ortonio ang gumawa na pinirmahan yata ni Atty. Sanchez. Ang sulat pong iyon sa aking pagkakaintindi mula po sa interpellation kanina pa ay mukha pong inaadbaysan *(advise)* kayo ni Atty. Sanchez na i-ignore po ninyo iyong subpoena ng Komiteng ito sapagkat iyong...i-ignore po iyong House probe sapagkat hindi pa po kumpleto o conclusive iyong audit observation memo. Parang ganoon po iyong aking pagkakaintindi, tama po ba?

MS. CAMORA. Iyong request po nila, Mr. Chair, yes po.

REP. MARCOLETA. Yes, Ma'am.

MS. CAMORA. Yes po.

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REP. MARCOLETA. Noon pong sabihin ni Atty. Sanchez na ang inyo pong audit observation memo ay hindi pa conclusive o hindi pa kumpleto sapagkat marami pa kayong hihingiin sa kanila na isusumite nila sa opisina ninyo, tama po iyong kaniyang isinulat, hindi po ba?

MS. CAMORA. As to iyong mga 2023 na AOMs po kasi, at that time, kailangan pa po nilang mag-comply.

REP. MARCOLETA. Iyon nga po.

MS. CAMORA. Iyong sa 2022 po, natapos na po iyon. Nag-comply na sila, nag-issue na ng NS, nag-comply na din sila, hindi pa rin...

REP. MARCOLETA. Tapos na po iyon.

MS. CAMORA. ...hindi pa rin po deficient, so nag-issue na po ng ND.

REP. MARCOLETA. Sa makatuwid, nag-issue na po nung ND. Iyon pong ND ay iyong notice of disallowance.

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Iyong notice of disallowance po, Madam, is also not conclusive because ito po ay appealable and...

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. ...contestable.

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Meaning to say, it is not the final judgment.

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Sa makatuwid, iyon pong sulat po nila sa inyo, inaadbaysan *(advise)* po kayo na sana...hindi naman po siguro kawalan ng paggalang sa Komiteng ito, kung hindi ang ibig nilang sabihin sapagkat marami pa po naman kayong kakailanganin sa kanila na isa-submit, iniisip po siguro nila para hindi ma-complicate ang pag-uusap, sana ay huwag na muna niyong bigyan. Kasi po humihingi ang House, ang atin pong Komite, nung mga dokumento na kakailanganin po dito sa kanilang pagdinig, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Okay. Bakit hindi po ninyo binigyan ng due course iyong sulat po ni Atty. Sanchez? Ano po ang dahilan?

MS. CAMORA. Mr. Chair, nag-issue po ang House, ang Committee po ng *subpoena duces tecum* sa COA, and doon po sa rules ng COA, puwede naman po

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kaming maserban *(serve)* ng *subpoena*. And iyon po, nag-comply lang po kami based doon sa subpoena po.

REP. MARCOLETA. Mr. Chair, kung halimbawa iyong subpoena ng Komiteng ito ay tumutukoy sa mga bagay na hindi pa po ninyo iniimbestigahan, sa aking palagay tama lamang po iyon. Ngunit dahil po iyong bagay na hinihingi po nila ay iniimbestigahan na ninyo, hindi ba dapat ay pumayag kayo na sana'y i-advise niyo ang House na, "Sir/Madam, with all due respect ay hindi muna po namin kayo mabibigyan ng hinihingi po ninyo sapagkat sa ngayon po ay kami po ay kasalukuyan pong nagiimbestiga." Hindi po ba puwede ring idahilan iyon, Madam, without disrespecting the Committee on Good Government?

MS. CAMORA. Mr. Chair, mayroon naman pong...nire-recognize din naman po namin iyong Congress Oversight, and iyon nga po, we were...we were issued *subpoena* so...

REP. MARCOLETA. Mr. Chair, sinasabi ko nga po iyon, eh. Kung sa bagay siguro na hindi pa ninyo iniimbestigahan, makatuwiran lang na talagang pagbigyan niyo at nasa lugar naman po. Ngunit sa ganito pong...itong pag-uusap na ito na ang involved pong subject matter iyong 2023 na inyo pong iniimbestigahan, hindi niyo po ba naisip na maaari pong makompromiso iyong ginagawa ninyo? Halimbawa po, hindi po ba sa mga proseso o procedures na ginagawa po ninyo, ang audit observation memo at saka notice of disallowance ay confidential po in nature?

MS. CAMORA. Yes po.

REP. MARCOLETA. Kasi po kaya ginagawa niyong confidential sapagkat gusto niyong maproteksyunan ang mga karapatan ng mga partido sapagkat wala pa ngang conclusiveness, eh, iniimbestiga pa nga lang, eh, tama po?

MS. CAMORA. Yes, Mr. Chair. Actually, audit lang po iyong sa amin not...technically, hindi po investigation.

REP. MARCOLETA. Kaya nga po. Kaya nga importante po na maproteksyunan kasi ino-audit niyo lang. At alam po ninyo iyong pag-o-audit ay maaari pong i-contest mula sa lebel ng regional director kung nasaan man nag-umpisa. Kung saka-sakali pong hindi natapos doon, maski sa lebel ng commission proper inaapela pa rin po. At kung saka-sakali po ay hindi napagbigyan doon, umaabot din po iyon hanggang sa Kataastaasang Hukuman, hindi po ba, kaya po pinapanatili nating confidential ang proseso. Hindi po ba niyo naisip kung saka-sakali iyon pong

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ginagamit po ninyo sa inyong pag-o-audit ay ibibigay po ninyo sa Committee on Government, mabubuyangyang po iyong mga dokumento because of the nature of the hearing in the House of Representatives, tama po?

MS. CAMORA. Tama po.

REP. MARCOLETA. Kagaya po ng nangyayari ngayon. Bago po ako magpatuloy ay gusto ko munang itala on record na hindi ko po binibigyan ng hatol, I am not judging what the Committee on Good Government has done so far in relation to the documents that you furnished this office. Ang sinasabi ko lamang po, kanina po sa unang pagtatanong ko sa inyo, ang sabi po ninyo, there is no other office or agency of government na binigyan po o in-allocate ng Saligang Batas para kopyahin ang ginagawa ninyo. Wala na po, kayo lang. Hindi po ba niyo naisip na ang inyo pong gawain, ang inyo pong gagamitin sa inyong pag-o-audit ay nagamit po ng local government at hindi niyo man lang ipinaliwanag sana kanina pa po na tinatanong ko bago pa po ninyo ibigay, pinagbiyan niyo sana iyong sulat po nung attorney sapagkat nasa inyo na po ang pag-uusisa...

(MS. JOY S. JARA TOOK OVER)

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REP. MARCOLETA. (Continuing)...inyo na po ang pag-uusisa ng pag-o-audit. Masasakripisyo po, masasa-publiko po ang gagawin ninyo kung saka-sakali, tama po ba?

MS. CAMORA. Tama po, Mr. Chair. Ang audit po ay exclusive sa Commission on Audit. Pero since ang Congress po ang may hawak sa...iyong pera po ng...iyong...iyong power of the purse po, I think, we do recognize iyong Congress oversight over that power and similar to *sub judice* po, hindi po naba-bind ang Congress pagdating po sa power ng Congress na iyon po. I think...

REP. MARCOLETA. Mr. Chair, gusto ko pong...

MS. CAMORA. ...naman po audit ang gusto nilang gawin which is iyong audit po ang sa amin. So...

REP. MARCOLETA. Mr. Chair, gusto ko pong malaman doon sa sagot ng ating representative ng COA, opinyon mo ba iyan o iyan ay kinuha mo sa pinakamataas na opisyal ng COA; sapagkat hindi ikaw ang magbibigay ng katuwiran doon sa kung ano iyong power of the purse at kung ano ang significance noong subpoena na tinanggap ninyo? Ito ba ay pinag-usapan ninyo at ni-refer mo sa Commission Proper?

MS. CAMORA. Somehow, na-discuss...

REP. MARCOLETA. Ano po?

MS. CAMORA. Somehow po na-discuss, although, ang...

REP. MARCOLETA. What do you mean, "somehow"? Kasi po importante iyon, eh. Alam po ninyo na magkakaroon po ng...magkakaroon po ng tension between...between your mandate and the objective of the Good Government Committee. Iba po iyong...iba po iyong trajectory nila, iba po iyong sa inyo, audit. But you will be using...the Committee will be using the same documents; the Committee will be using those yardsticks that you must be using in your own audit. Samakatuwid po, masasakripisyo po. Halimbawa po, Mr. Chair, noong umpisahan po ng local gov...ng Good Government Committee iyong pag-uusisa po nitong bagay na pinag-uusapan natin, necessarily ang gawain po ninyo na-interrupt, tama?

MS. CAMORA. Yes po.

REP. MARCOLETA. Huminto kayo. Hinihintay ba ninyo kung ano ang magiging outcome po ng pag-uusisa at pag-iimbestiga ng Good Government?

MS. CAMORA. Paano pong hinihintay po, Mr. Chair?

REP. MARCOLETA. Eh, na-interrupt kayo, eh. Samakatuwid, ang gawain po ninyo ay nabalam? Nabinbin kayo.

MS. CAMORA. It continues naman pa rin po kahit na may mga...

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REP. MARCOLETA. Kasasabi mo lang kanina na-interrupt, eh; ngayon, continuous.

MS. CAMORA. Itong sa OVP po iyong…pero sa other…other audit…

REP. MARCOLETA. Ito po sinasabi natin, itong pinag-uusapan, the subject matter of this Good Government Committee. Necessarily, ang trabaho po ninyo in relation to the issuance of that Audit Observation Memo was interrupted. Tama po, Madam?

MS. CAMORA. Opo, but iyong sa other liquidations naman po ng other offices, continuous pa rin naman po or sa other…iyong sa katulad noon pong sa 2023 na audit, ni-receive naman pa rin po namin iyong mga compliance po nila.

REP. MARCOLETA. Madam, dito po sa binasa kong provision kanina, Mr. Chair, kayo po ang may karapatang gumawa ng isang comprehensive program kung papaano isasakatuparan ang pag-o-audit sang-ayon po sa pamantayan ng ating Saligang Batas. It cannot be delegated to any other agency. Nag-usap na tayo kanina.

MS. CAMORA. Yes po.

REP. MARCOLETA. What has been delegated can no longer be delegated.

MS. CAMORA. Yes.

REP. MARCOLETA. That is a principle of law.

MS. CAMORA. Yes po.

REP. MARCOLETA. Sa mga abogado pong nandito, alam po nila iyon, eh, *potestas delegata non delegari potes*. Nagkakaintindihan po tayo?

MS. CAMORA. Yes po.

REP. MARCOLETA. So, effectively, you delegated the idea, the work, that you should have been doing, in the first place? I cannot blame this Committee, kasi hindi po ninyo in-advise, eh. Papaano ngayon? Hindi po ba na-compromise iyong independence ng Commission on Audit? You have to remember; the COA is an independent constitutional body.

MS. CAMORA. Yes, Mr. Chair. I believe there is no compromise naman po…

REP. MARCOLETA. Iyon ang palagay mo.

MS. CAMORA. …since iyong audit procedures still belong with the Commission on Audit.

REP. MARCOLETA. Iyon ang palagay mo. You're talking of procedures pero na-compromise nga iyong mga dokumentong gagamitin ninyo, eh, kasi binigay mo nga. Sabi ko nga sa iyo, walang kasalanan ang Komiteng ito sapagkat sinabpina *(subpoena)* ka, binigay mo without advising them. Sana man lang sumulat ka man

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lang and then, the Committee—malay mo—they have waived their options. Baka sakaling hindi ganito ang nangyari.

In this particular case, narinig mo kanina nagsalita ang aming Speaker. Sabi niya, "Let us strengthen the institution that uphold our democracy." Pero po doon sa ginawa po ninyo, did you strengthen the foundation, the independence, the authority of the COA as enshrined in the Constitution?

MS. CAMORA. Mr. Chair, doon po sa compliance po namin, we emphasized on the confidentiality of the information. So, kami din po, hindi rin po namin in-expect that it would be released to the public.

REP. MARCOLETA. Hindi mo alam ang nature ng pagdinig dito sa House of Representatives? This is always public. Ikaw naman, how can you say na hindi mo alam? Sa inyo po kasi confidential. Iba po iyong...iba po iyong modality ninyo because this is audit. Pero once na binigay mo dito, the House of Representatives and all the Committees will conduct and undertake meetings publicly. Wala po kaming private meetings. So, 'pag sinabi mong hindi na-compromise, opinion mo iyon, eh. Opinion mo. You were not in a position to tell us na hindi na-compromise. Only time will tell. Siguro po dapat pinaalam po ninyo. The fact that you did not even inform the Commission Proper that there is a subpoena sent by the House, dapat sana ganoon, eh.

MS. CAMORA. Mr. Chair, iyong ICFAO po kasi directly reports to the Chairperson, so, the go signal was from the Chairperson. And so...ang napag-usapan po is..

REP. MARCOLETA. You were saying that the Commission Proper...who gives the go signal, the Chairman of the COA?

MS. CAMORA. Sa...being the head of the ICFAO po. Siya iyong head po ng ICFAO.

REP. MARCOLETA. No, I am asking the head of the institution itself.

MS. CAMORA. The head of the institution po...the head of COA po is the CP, but the head of ICFAO, the office, is the Chairperson po.

REP. MARCOLETA. So, alam po ng COA head ito?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Alam niya? Sigurado ka?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. The commissioners alam nila?

MS. CAMORA. Yes, Mr. Chair.

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REP. MARCOLETA. Okay. Narinig po ninyo iyong bahagi ng mga interpellation ng mga kasama ko kanina. Most of it siguro mayroon po kayong natatandaan; most particularly the interpellation of Congressman...Congresswoman Luistro noon pong tinatanong niya iyong certain Lachica was guilty of usurpation...

THE CHAIRPERSON. Acosta.

REP. MARCOLETA. ...of authority. Lachica ba iyon?

THE CHAIRPERSON. Acosta po.

REP. MARCOLETA. Ah, Acosta. Sorry. Ang sinabi niya, according to her, Acosta is even guilty of usurpation of authority of official functions. Narinig po ninyo?

MS. CAMORA. Yes po.

REP. MARCOLETA. Kasi po maaaring nakuha niya iyong gawain na iyon, allegedly, na hindi naman pala dapat na sa kanya iyon.

Noong pong hindi ninyo inadbaysan *(advise)* ang Committee on Good Government, technically, part of your mission, part of your mandate and authority was usurped. Sila na po iyong nagtatanong, eh. Ang ginagamit po nila, iyong mga dokumento, iyong mga reports and the papers na sa Saligang Batas ang sinasabi, kayo po ang dapat mag-examine, kayo po ang dapat mag-audit, nobody else.

So, in a way, part of your function was usurped, technically, tama po?

MS. CAMORA. Tama po, Mr. Chair, pero it does not mean po...

REP. MARCOLETA. Hindi, hindi, tama po?

MS. CAMORA. Tama po pero...

REP. MARCOLETA. Pero?

MS. CAMORA. It does not mean po na we will just take it hook, line, and sinker. We will still audit based on what our standards are. Iko-conduct pa rin po namin iyong audit...

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MS. CAMORA. (Continuing)…iyong audit na based sa amin po.

REP. MARCOLETA. Ipagpalagay natin…palagay natin…papaano kung hindi pareho ang outcome ninyo? Paano kung hindi pareho ang conclusion ninyo? What happens?

MS. CAMORA. I think we will stand by iyong audit po ng COA.

REP. MARCOLETA. O, 'di ang ibig mong sabihin iyong outcome ng aking mga colleagues ay mali? Ang sinasabi ko kasi puwedeng hindi kayo magtugma, eh, because your procedure is different. The manner of questioning probably is not even personal. Passive ang sa inyo, active sila.

MS. CAMORA. Yes, Mr. Chair. On that part we will still use our expertise…

REP. MARCOLETA. Kaya nga…

MS. CAMORA. …on our audit.

REP. MARCOLETA. …you will still rely on your expertise because you are the expert. Kayo ang nakakaalam ng comprehensive program and plan. Kayo ang expert sa inyo-inyong mga fields, and the Members of this Committee—hindi sila expert. Iyon ang ibig mong sabihin?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Kayo ang expert. Sila, hindi expert. Tama? Kaya puwedeng magka…

MS. CAMORA. Ah, iba po ang…iba naman po ang sa Congress, Mr. Chair.

REP. MARCOLETA. Kaya nga iyon ang sinasabi ko sa iyo, eh. Magkakaroon sigurado kayo ng pagkakaiba ng resulta. What happens then? What will happen to the integrity of the Commission on Audit?

MS. CAMORA. Sir, eventually if ever man na mapunta po ito sa CP and then mapunta sa courts. Even the courts can reverse COA po.

REP. MARCOLETA. Ang iniiwasan po kasi natin ay iyong magkaiba po ng outcome. Pareho po iyong ginamit, ang mga papeles, ang mga report, lahat po ng dokumentong nakita naming inisa-isa at binusisi ng mga kasama ko are the same, pero mag-iiba po kayo ng outcome.

MS. CAMORA. Mr. Chair, I believe ang outcome po from Congress is legislation while ang sa amin po is iyong result of audit po.

REP. MARCOLETA. Do you believe that you have abdicated your authority by giving to this Committee the very basis of your audit because they were made public?

MS. CAMORA. No, Mr. Chair.

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REP. MARCOLETA. Why do you think that your answer is correct? How about if you are wrong?

MS. CAMORA. We are still the auditors.

REP. MARCOLETA. You are still the auditor pero pinamigay po ninyo part of your function. That is the point.

MS. CAMORA. I believe that the function of the Congress here is…

REP. MARCOLETA. Do not say I believe…

MS. CAMORA. …is as…

REP. MARCOLETA. …we are after facts here. We are not after what your believe and we are not after your opinion. Ang pinag-uusapan natin are factual issues. Okay. Sabi mo kanina, sumagot ka kanina, no other offices, no other agencies ang nakakagawa ng function, it's only exclusive to COA.

MS. CAMORA. The audit function, Mr. Chair. We also…we just simply recognize the authority of the Congress.

REP. MARCOLETA. In simply recognizing the authority of Congress, you have wittingly or unwittingly surrendered part of your madate because you exposed the confidentially of those documents which have been…which should have been preserved per your own rules and regulations. Am I correct?

MS. CAMORA. No, Mr. Chair. We have not surrendered our mandate.

REP. MARCOLETA. How do you know that you have not surrendered? How do you know? Are you in a position to even assess the impact of your action?

MS. CAMORA. It is still the COA that is performing the audit. The Congress is different…is doing a different thing, they are not auditing the funds.

REP. MARCOLETA. What are they doing?

MS. CAMORA. Legislating.

REP. MARCOLETA. What?

MS. CAMORA. Legislating po. I believe we are…we are all here because…

REP. MARCOLETA. You have been sitting here for several hours…did…

MS. CAMORA. …this hearing is in aid for legislative…

REP. MARCOLETA. …did you know the kind of legislation that are supposed to be coming up? Mayroon ba silang sinabi sa iyo na mayroon na kaming legislation in mind? Mayroon bang lumitaw? Kanina pa tayo rito. Ako, alas diyes ng umaga nandito ako. Do you have an idea as to what legislation are coming up?

MS. CAMORA. For example…

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REP. MARCOLETA. For example, mayroon bang legislation na baka sakaling nagle-legislatge sila...

MS. CAMORA. Later on...

REP. MARCOLETA. ...na tuturuan kayo kung papaano ang pag-o-audit.

MS. CAMORA. No po, for example, iyong sa GAA sa budget on confidential funds, that will become subject of future legislation.

REP. MARCOLETA. Why are you the one articulating that? You are not a Member of Congress.

MS. CAMORA. That is why...

REP. MARCOLETA. Iyon ang sinasabi ko kanina pa, eh.

MS. CAMORA. That is why nga po...

REP. MARCOLETA. Kanina ko pa sinasabi, what you were saying opinion mo, eh.

MS. CAMORA. That is why po...

REP. MARCOLETA. I am trying to emphasize to you kung ano iyong impact nung...

MS. CAMORA. That is why we recognize po iyong wisdom po ng Congress.

REP. MARCOLETA. Puwede bang patapusin mo ako kasi baka mapagalitan ka ng Chair. Ang pinag-uusapan natin dito seryosong bagay. Uulitin ko sa iyo, the mandate to audit, the mandate to examine, the authority belongs only to COA. While...while the terminology is different pero the basis of your audit and the basis of the investigation of this Committee are one and the same. Iyon ang sinasabi ko sa iyo. Did you not compromise the integrity and the independence of COA by doing so? Do not make your own opinion. I will probably accept an answer na siguro balikan mo iyong Commission kung tama iyong ginawa ninyo.

Iwanan muna kita sandali kasi gusto ko mag-isip ka rin.

Mr. Chair, may I direct my attention to the Land Bank people.

Madam, kanina po sinabi ninyo sa mga kliyente ho somehow you, you accord some sort of parang courtesy parang ganyan. Halimbawa, nag-withdraw sila ng... Magkano po ba iyong winidro *(withdraw)* kanina pinag-uusapan natin?

MS. CONSTANTINO. One twenty-five po, million, Your Honor.

REP. MARCOLETA. Ano po ba iyong napakalaking bagay na pinoproteksyunan ninyo kung saka-sakaling iyong isa po sa guard ninyo ay tinulungan lang pong isakay po sa sasakyan dahil mabigat po at napakarami po pa lang winidro *(withdraw)*? What is so

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spectacular about helping because they are valued clients? Explain nga po ninyo sa maiintindihan namin kasi hindi po kami bangkero, eh.

MS. CONSTANTINO. Your Honor, ang duty po talaga ng security guard namin ay to secure po iyong bank premises.

REP. MARCOLETA. Alam ko po iyon, Madam.

MS. CONSTANTINO. Opo, iyon po iyong...

REP. MARCOLETA. But somehow sa mga ibang establishment alam po ninyo iyong guwardiya po, pumunta po kayo sa mga...sa mga food chain, iyong guwardiya po kung minsan naglilinis ng mesa, kinukuha po niya iyong mga pinggan. Nakikita ninyo po iyan, very ano iyon. Hindi po unusual iyon, eh, guwardiya po iyon. Ang tinatanong ko po iyong, maano po iyong, halimbawa, sa bigat po nung dala-dala, eh, tumulong lang pong iginanon lang po sa sasakyan. Ang laking bagay po ba nuon, Madam?

MS. CONSTANTINO. I'm sorry, Your Honor. Talaga pong ganoon ang...

REP. MARCOLETA. Ano nga po iyong wisdom na kung bakit, halimbawa, pinagbabawalan ninyo iyong guwardiya naman na to lift a finger just to help somebody dahil sa bigat po nung dala-dala niyang pera na isakay po doon sa kanyang sasakyan?

MS. CONSTANTINO. Sir, iyong pinoprotektahan din po namin iyong security risk din po. So baka po on the way na tumulong siya ay may mawala po doon sa...kasi hands off na po kami once na ma-release na ho namin iyong funds sa payee.

REP. GARIN. Mr. Chairman, can I have a very quick interjection? With the indulgence of my good kumpare...

THE CHAIRPERSON. With the indulgence of Congressman Marcoleta, just a quick interjection from Congresswoman...

REP. GARIN. Just a very quick interjection, Mr. Chair.

THE CHAIRPERSON. With the indulgence, yes, Congresswoman Garin.

REP. GARIN. Mr. Chair, the security guard of a bank is different from the security guard of a restaurant. Kapag ang security guard ang isang bangko ay naghakwat at biglang pinasok iyan at hinold-up, imagine the lives...

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REP. GARIN. (Continuing)...imagine the lives that will be at stake there. Paano makakaresponde iyan kasi ginawa mong kargador, that's one.

Second, Mr. Chair, the security guards, while they are adequately paid for that profession, hindi naman ganoon kasobrang laki na kapag pinabitbit mo, and then the *client will say, "Naku, kulang ito." Paano ngayon kung mapagbintangan sila?* So, it's not only protecting the bank, the other people and the clients, but their task is to be a security guard, and that is the basis why banks have that ruling. Maraming salamat, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. MARCOLETA. Mr. Chair, my Kumare is speculating. Iyong sinasabi ko, actual po iyon, eh. Mayroon po bang mga tao noon noong kayo po ay isinasakay lang po iyong pera na...na siguro po nabigatan lang, ginanon ko lang, ang laki po bang kasalanan iyon, Madam? Mga bangko po kayo, eh, 'di ba? Dapat po iyong mga kliyente naman, eh, nagbibigay kayo kahit ano man lang kaluwagan. Napakahigpit naman ninyo pala sa pagtulong para namang hindi Pilipinong ugali naman po iyong pinamamalakad niyo sa bangko ninyo. Land Bank pa naman kayo. Gobyerno pa naman kayo. Dapat naman hindi ganoon. Kung nakita niyo naman, wala namang...wala namang peligrosong ano at nakita niyong hirap na hirap po iyong...maano man lang, eh, ganoon. Nasabi ko lamang po, Madam, sapagkat parang hindi naman kapani-paniwala naman na...kasi po mas naniniwala po ako doon sa sinabi kanina na mayroon pong...nagbigay po kayo ng parang...ano iyon, para lang iganoon iyong trolley. Ano po iyon, ugaling Pilipino po iyon, eh. Hindi po masyadong kapani-paniwala iyong argumento po ninyo. Mas naniniwala po ako doon sa sinabi kanina. So, last na po sa inyo, babalikan ko kayo, Madam.

Sa akin pong palagay ay na-compromise po ninyo iyong integrity, iyong independence na isina—ano ba sa Tagalog iyon?—repose, iyong ipinagkatiwala sa inyo ng Saligang Batas. Maaaring hindi po ninyo alam, maaaring hindi conscious kayo, pero part of that authority, naibigay po ninyo. Samakatuwid, mayroon pong na-compromise ngayon. Sa aking palagay po, kung talagang susuriin ito, kung makakapagseryoso po tayo, baka po maaaring managot po ang inyong mga opisyal. I am referring to the Chairman and the Commissioners of COA. Somebody might file an impeachment case on the ground of—ano bang grounds natin?—betrayal of public trust. Alam po ninyo, mataas na uring pagpapahalaga iyon, eh. Kayo na rin po ang umamin at alam kong tama naman ang sinabi ninyo, there is no other agency of

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government. Ang Saligang Batas po, mahigpit ang tagubilin. Seloso po iyong Saligang Batas, ayaw niya na mayroon po kayong ipag…pagbibigyan pa. It was delegated exclusively to you. You cannot delegate that, even part of that particular authority and function.

Mr. Chair, salamat po sa inyong panahon.

THE CHAIRPERSON. Thank you, Congressman Marcoleta.

The Chair would like to pose few questions to the COA, Atty. Camora.

Atty. Camora, do you agree with me that COA, under the Constitution, have the power and duty to examine, audit and settle all accounts pertaining to all revenues, receipts, so forth and so on?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Thank you.

And do you also agree with me that under the 1987 Constitution, it likewise provides, specifically Section 21, that the Senate or the House of Representatives, or any of the respective Committees may conduct inquiry in aid of legislations in accordance with its duly published rules of procedure? Tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. So, perhaps, this is the reason kung bakit po kayo sumunod sa subpoena *duces tecum* na ibinigay po sa inyo nitong Committee, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Salamat.

REP. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. At dito po sa…

REP. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. Excuse me, Congressman Marcoleta, I'm still asking questions.

At dito po sa aming rules, maliwanag po dito, under Section 1, Power to Conduct Inquiries, pursuant to Section 21, Article VI of the Constitution, the House of Representatives, or any of its Committees, may conduct inquiries in aid of legislation in accordance with these rules. Second paragraph, the filing or pendency of a case before any court, tribunal or quasi-judicial or administrative body shall not stop or abate any inquiry conducted to carry out a legislative purpose.

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Now, my question is ito pong audit na ginagawa po ninyo noong kayo po, ito po ay nandirito na sa *en banc* na po ba ito? Nasa commission proper na po ba ito?

MS. CAMORA. Wala pa po, Mr. Chair.

THE CHAIRPERSON. Nasaan na po ito?

MS. CAMORA. *Nasa…Iyong ND po, hindi pa po siya naka-appeal.*

THE CHAIRPERSON. Would you consider this as quasi-judicial? You are exercising quasi-judicial function?

MS. CAMORA. If it goes to appeal po, it will be placed to…(*Unintelligible*).

THE CHAIRPERSON. Okay. If it does not go to appeal, nasaan pa lang po ito?

MS. CAMORA. Nasa audit.

THE CHAIRPERSON. Administrative?

MS. CAMORA. Yes po.

THE CHAIRPERSON. Tama po ba?

MS. CAMORA. Yes po.

THE CHAIRPERSON. So, ibig sabihin, pasok po dito sa amin? Sa binasa ko po, the filing or pendency of a case before any court, tribunal or quasi-judicial or administrative body shall not stop or abate any inquiry conducted to carry out a legislative purpose, tama po ba?

MS. CAMORA. Yes po, Mr. Chair.

THE CHAIRPERSON. Okay. Ano po ang rationale nito? Ang rationale po nito, because Congress has…has the ano po? Anong function po ang mayroon kami?

MS. CAMORA. Legislative.

THE CHAIRPERSON. On top of that, may oversight po kami.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Iyon po ang rationale nito. We have an oversight function.

Now, to question the constitutionality of Congress, ano po ang pinakatama pong hakbang gawin? To file a petition before the Supreme Court, Petition for Certiorari.

Now, let me walk you through the specific constitutional provision.

In the case of Romero versus Estrada, the Supreme Court emphasized that the inapplicability of the sub judice rule to inquiries in aid of legislation is not limited to criminal or administrative cases. It can be extended to appealed cases and special

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civil actions awaiting final disposition before the Supreme Court. Otherwise, it would be extremely easy to subvert any intended inquiry by Congress through the convenient ploy of instituting a criminal or an administrative complaint.

Surely, the exercise of sovereign legislative authority of which a power of legislative inquiry is an essential component cannot be subordinate to a criminal or administrative investigation.

Ito po ba ang first time ng COA ay na-subpoena ng Kongreso o ng Senado?

MS. CAMORA. Ngayon lang po sa akin, hindi ko po alam kung may ibang instances sa rest of COA. Pero since ngayon lang po ang experience ko…

THE CHAIRPERSON. Thank you po.

MS. CAMORA. …so I can speak only for myself.

THE CHAIRPERSON. Okay. So, pero maliwanag naman po iyong ating explanation na ang Kongreso po ay may kapangyarihan, tama po ba?

MS. CAMORA. Opo.

THE CHAIRPERSON. That is the reason why you complied with the subpoena *duces tecum* that Congress or this Committee issued before the Commission on Audit, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. Thank you.

REP. ADIONG. Mr. Chair.

REP. MARCOLETA. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Marcoleta.

REP. MARCOLETA. May I make a very short rejoinder?...

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REP. MARCOLETA. (Continuing)...short rejoinder?

Mr. Chair, considering that...

THE CHAIRPERSON. Yes, please.

REP. MARCOLETA. Considering that you have mentioned Article VI, Section 21 of the *Philippine Constitution, that relates to our function in aid of legislation, it's* inquiry or investigation in aid of legislation. Incidentally, Mr. Chair, Section 22 is the oversight function of Congress. Dapat sana ang COA ay doon po kayo bumase doon sa oversight function not under Section 21 because that is in aid of legislation. That is the limitation imposed by law. Hindi po lahat ng investigation ay pupuwede. Under that particular Section 21, there should be a legislative purpose, nakabalangkas na po iyon. Hindi po gagawa ng batas habang nagtatanong o pagkatapos na magtanong. Very clear po, it is in aid of legislation, dapat prerequisite po nakabalangkas na iyong batas. The reason why we are asking you to appear before us is to help us complete the legislation. Sa ngayon po, with all the questions answered and asked, wala pa pong malinaw na legislative purpose, am I correct?

THE CHAIRPERSON. Mayroon na po.

REP. PADUANO. Mayroon, mayroon. Mr. Chairman, marami po.

REP. ACOP. Point of order, Mr. Chair.

REP. PADUANO. Well, in fact...

REP. ACOP. Point of order, Mr. Chair. Point of order, Mr. Chair.

THE CHAIRPERSON. What is the point of order of Congressman Acop?

REP. ACOP. The Honorable Marcoleta has still the floor, let him finish. As I've said a while ago, we follow our Rules. Thank you, Mr. Chair.

THE CHAIRPERSON. Yes. Please continue, Congressman Marcoleta.

REP. MARCOLETA. Yes, I know that but ang sinasabi ko lamang po...I do not contest that pero ang sinasabi ko, if it is in aid of legislation, maliwanag po sana nauna na po iyong balangkas, kahit outline lang, hindi iyon pong nagtatanong na tayo nang nagtatanong sapagkat mayroon din pong jurisprudence na hindi dapat mauna po iyong kabayo kaysa kalesa. Kasi po iyong kabayo, hihilahin niya iyong kalesa.

Maraming salamat po, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. ADIONG. Mr. Chair.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop, you are recognized.

REP. ADIONG. Mr. Chair.

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REP. ACOP. I do not want to debate with the erudite Honorable Marcoleta but I think Article VI, Section 21 of the 1987 Constitution will be followed. Why? Because this was strengthened by the case of Romero versus Estrada in the year 2009 where it was decided by the Supreme Court, and I would like to quote, "Inquiries in aid of legislation are utilized to enable the legislative body to gather information and, thus, legislate wisely and effectively, and to determine whether there is a need to improve existing laws or enact new or remedial legislation albeit the inquiry need not result in any potential legislation." Those are the words of the Supreme Court, "Or the conduct of inquiries in aid of legislation may not result in any legislation at all," as decided by the Supreme Court.

Thank you, Mr. Chair.

REP. ADIONG. Mr. Chair. May I...

THE CHAIRPERSON. Yes.

REP. ADIONG. May I pose some questions, Mr. Chair?

THE CHAIRPERSON. Before I recognize you, let me first quote the case of Ong versus Senate Blue Ribbon Committee. Dito po, sabi po dito, ang Kongreso ang guardian of public funds. Ang imbestigasyon sa government transaction is a proper exercise of the power of inquiry. Kabilang sa mga transaksyong ito ang government agencies created by Congress; number two, officers whose position are within the power of Congress to regulate or even abolish.

Yes, Congressman Zia Adiong...Alonto Adiong, you are recognized.

REP. ADIONG. Thank you, Mr. Chair. Let me pose a few questions to COA. Mr. Chair, I do not want to even approach, to some degree or proximity, to argue or debate with three of the lawyers here but as a non-lawyer, I do understand the meaning of integrity. So, I'd like to ask COA, Mr. Chair, a few questions kasi medyo... Ako, nabahala din po ako because of some concerns posed by one of our veteran legislators here. Ayaw ko din po na ma-compromise iyong integrity and independence of the commission, COA. So, I'd just like to ask COA a few questions.

When we ask questions... You were invited here as a resource person, am I correct?

MS. CAMORA. Yes, Mr. Chair.

REP. ADIONG. And your response will only be limited within the documents that you have provided to this Committee by virtue of the subpoena, am I correct?

MS. CAMORA. Yes, Mr. Chair.

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REP. ADIONG. Your answers will only be limited with what you have issued based on the audit memo...audit observation memorandum and the notice of disallowances, am I correct?

MS. CAMORA. Yes, Mr. Chair.

REP. ADIONG. That based on your questions, you do not impose your individual, personal opinions but rather based on the observations that you have issued.

MS. CAMORA. Yes, Mr. Chair.

REP. ADIONG. Okay. I'd like to ask you, of all the questions that you were asked and some of the positions that each of the Members of this Committee have taken so far, would that, in any way, influence you to approach the process of your audit?

MS. CAMORA. Somehow, it will make me more circumspect but I will...we will still base our audit based on our standards. It's just we will...

REP. ADIONG. Okay. Let me paraphrase my question.

MS. CAMORA. We will...

REP. ADIONG. Let me paraphrase my question. Should this Committee...or I'm sure that we will reach a point where the Committee will submit its Committee Report, would any in the items of the Committee Report be used as a replacement of the way you have conducted your audit or continue to conduct your audit?

MS. CAMORA. Mr. Chair, we will still conduct our audit objectively.

REP. ADIONG. So, meaning to say, whatever would be the decision of the Committee, it will never replace or it will never set as a guide...

MS. CAMORA. Yes, Mr. Chair.

REP. ADIONG. ...for you to approach...

MS. CAMORA. Yes, Mr. Chair.

REP. ADIONG. ...the process of your audit insofar as this discussion is concerned, the AOM and the notice of disallowances.

MS. CAMORA. Yes, Mr. Chair.

REP. ADIONG. Am I correct?

MS. CAMORA. Yes, Mr. Chair.

REP. ADIONG. So, meaning to say, whatever questions or the possible legislations that we will introduce, that will never affect the decision of the COA or the proceedings of COA to continue auditing the confidential funds.

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MS. CAMORA. As to the...yes, as to the confidential funds now of the OVP and the DEPED...

REP. ADIONG. Yes, that's correct.

MS. CAMORA. ...yes, Mr. Chair. As to the...

REP. ADIONG. So, meaning to say...yes, yeah. Meaning to say, whatever issues or topics we discuss here, it will still be irrelevant insofar as the process of your auditing is concerned.

MS. CAMORA. Yes, Sir. We will...

REP. GARIN. Mr. Chair.

REP. ADIONG. It will not...we will never... That we will never replace or substitute you.

MS. CAMORA. No, Sir, no.

REP. ADIONG. Okay. That to me, Mr. Chair, is the idea of integrity, that I understand. That COA, their participation here, they are merely responding to the questions of the Members of this Committee in order to formulate possible...

REP. GARIN. Mr. Chair.

REP. ADIONG. In order to formulate possible legislation, Mr. Chairman. Insofar as independence and integrity are concerned, I personally believe that the decision of this Committee on how we discuss the issue of confidentiality...confidential funds will never, in any way, dissuade COA in the way they approach their auditing system or how they conduct the auditing of all these funds that is now being discussed by this Committee, Mr. Chair. That I think...that I understand is ano...iyong meaning po noong sinasabing independence at integrity na nami-mention po. Tama po ba iyon, COA?

MS. CAMORA. Yes, Mr. Chair. Whatever our learnings here, we will not apply to this particular case but we will review our standards, our audits, our procedures, and we will apply it to all the agencies that will fall under the audit of the ICFAO and the rest of COA...

(MS. REGILYN B. ENCIO TOOK OVER)

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MS CAMORA. (Continuing)...rest of COA po.

REP. ADIONG. So, it will never...it will never influence...

MS. CAMORA. No, Sir, it is still the...

REP. ADIONG. ...the final decision of the COA?

MS. CAMORA. It is still the prerogative of COA.

REP. ADIONG. Thank you. Thank you, Atty. Camora. Thank you, Mr. Chair.

THE CHAIRPERSON. Congressman...

REP. A. D. GONZALES. Chairman.

THE CHAIRPERSON. Yes, Congressman...

REP. A. D. GONZALES. May tanong lang ako kay...

THE CHAIRPERSON. Yes, Senior Deputy Speaker Dong Gonzales, you're recognized.

REP. A. D. GONZALES. ...kay Atty. Abella.

Atty. Abella, 'di ba iyong notarial authority ninyo is nasa Manila po?

MS. ABELLA. Yes, Your Honor.

REP. A. D. GONZALES. But iyong documents na ninonotaryo ninyo are from Pasig and Mandaluyong, tama po ba?

MS. ABELLA. Yes, Your Honor, but the actual notarial, Your Honor, was done in Manila, Your Honor.

REP. A. D. GONZALES. Pakilakas lang po ng kaunti.

MS. ABELLA. The actual...the actual sealing of the document, Your Honor, were done in Manila, Your Honor.

REP. A. D. GONZALES. So, wala pa pong decision iyong Supreme Court na wherever you are na nagnotaryo ka, puwede kang mag-notaryo sa ibang places?

MS. ABELLA. Your Honor, the notary, Your Honor, is within the jurisdiction, Your Honor. However, in this case, Your Honor, the documents where...I confirmed the document and they personally appeared before me in these places, however, I took the documents in Pasig...in Manila, Your Honor, and seal there, Your Honor, where my stamp seal is, Your Honor.

REP. A. D. GONZALES. Thank you for that information, Atty. Abella.

MS. ABELLA. Thank you, Your Honor.

REP. A. D. GONZALES. Mr. Chairman, I would like to ask my question to Mr. Edward Fajarda.

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Mr. Edward Fajarda, last hearing, may tinatanong po ako na tatlong 37.5 million. Parang nakapag-encash po kayo ng isang quarter ng 37.5 million in 2023. If I'm not mistaken, parang July po iyon, 37.5, first quarter and second quarter, tatlong tseke po iyong naipapalit ninyo sa Land Bank. So, that is equivalent to 112.5 million, tama po ba, Mr. Fajarda?

MR. FAJARDA. I confirm, Your Honor, tama po.

REP. A. D. GONZALES. Tapos, in my recollection, nagpa-encash ka ng July, if I'm not mistaken July 11 or July 13, ng 37.5 million. Tapos po si Ms. Gina Acosta, nagpa-encash po siya ng July 13, two days ang difference, na 125 million, sa Land Bank Shaw Boulevard. So, parang nagkasabay po iyong tseke ng 125 million, and the other is 37.5 million.

So, Land Bank, last hearing po tinatanong ko sa inyo kung iyong 125 million, the same date po iyong pagka-withdraw ni Mr. Fajarda at ni Ms. Gina Acosta? So, ang makakasagot po iyon, iyong Land Bank Pasig at saka iyong Land Bank Shaw Boulevard.

Mr. Fajarda, you want to answer the question?

MR. FAJARDA. Your Honor, magkaiba po kasi ang DEPED sa OVP. So...

REP. A. D. GONZALES. Hindi, ang point ko lang po, Mr. Chairman, Mr. Fajarda, parang nagkatagpo iyong date ng July 11 and July 13. Kung iyong OVP is July 13, equivalent of 125 million, and yours is from DEPED, is equivalent to 37.5 million. The summation of the two is 125, plus 37.5. So, iyon lang po ang tinatanong ko.

Ang tanong ko, parehong lugar ang pinuntahan ng na-withdraw ninyong pera from Shaw Boulevard and from Pasig, wherever, kung dinala ninyo sa DEPED o dinala ninyo sa OVP, o magkahiwalay. Iyong 37.5 halimbawa sa DEPED, iyong 125 million sa OVP. Ang inaano ko lang po dito, iyong parang sabay iyong date ng...kasi sa bangko kasi no matter how...if your check is July 13 or July 11, you can encash on the same day.

Tama po ba, Ma'am, Land Bank?

MS. CONSTANTINO. Basta po iyong advice po noon ay nasa Land Bank na po. Iyon po... Sorry po, Your Honor...

REP. A. D. GONZALES. Hindi, kasi halimbawa ginawa ko iyong tseke ng July 11 kay Mr. Edward Fajarda ng 37.5 million, tapos iyong sa inyo po July 13, Shaw Boulevard, inisyu *(issue)* ko kay Sunshine...kay Gina Acosta iyong 125 million ng July 13, pero puwede pong ipapalit iyon the same day ng July 15, tama po ba?

MS. CONSTANTINO. Magkasabay po ng July 15, Your Honor?

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REP. A. D. GONZALES. Opo, pero different branch, branch in Shaw Boulevard and Land Bank Pasig po ang sinasabi ko.

MS. CONSTANTINO. Your Honor, hindi ko po masasagot iyan kung magkakasabay sila. Basta po sa amin kapag po in-earmark, kung anong araw po iyon, doon po niya puwedeng makuha.

REP. A. D. GONZALES. So, ewan ko po, hinihingi ko po sa inyo, sa Komiteng ito na anong date tinanggap iyong 125 million sa Shaw Boulevard, anong date at anong oras tinanggap ni Ma'am Gina Acosta? Number two, anong date pina-encash ni Mr. Edward Fajarda iyong 37.5 at anong oras niya tinanggap iyong pera?

Sigurado po, sa likod ng tseke, pipirma ka doon, 'di ba, tapos ire-receive mo iyong cash, tama po ba, Mr. Fajarda?

MR. FAJARDA. Tama, pumipirma po ako sa tseke.

REP. A. D. GONZALES. Mr. Chairman, Ma'am Land Bank, tama ho ba iyong tinatanong ko?

MS. NENITA CAMPOSANO (Assistant Vice President, DOTC Branch, Land Bank of the Philippines). With DEPED Branch, the check was encashed on July 13 at around 2:00 p.m., Sir.

REP. A. D. GONZALES. 2:00 p.m. How about the 125 million, Ma'am?

MS. CONSTANTINO. Around 2:35 p.m., Your Honor.

REP. A. D. GONZALES. What date, Ma'am, is that?

MS. CONSTANTINO. Sorry po?

REP. A. D. GONZALES. What date is that?

MS. CONSTANTINO. July 14.

REP. A. D. GONZALES. July 14?

MS. CONSTANTINO. Yes, Your Honor.

REP. A. D. GONZALES. So, there is a difference of one day?

MS. CONSTANTINO. Yes, Your Honor.

REP. A. D. GONZALES. So, meaning to say, Mr. Chairman, iyong winidraw *(withdraw)* niya iyong tsekeng dated July 11, ng July 13, ng DEPED; tapos iyong OVP winidraw *(withdraw)* niya ng July 14, tama po ba, Mr. Chair?

MS. CONSTANTINO. Yes po, Mr. Chair.

REP. A. D. GONZALES. So, iyon lamang po, Mr. Chairman. At kung i-a-add mo iyong dalawa, 125 million plus 37.5 million, magkano po ba iyon, former Special

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Disbursing Officer, 125 plus 37.5? 162 million, the total of the two checks, 162 million out of point 9...

MR. FAJARDA. Point 5 po.

REP. A. D. GONZALES. Point 5.

So, iyon lang po, Mr. Chair, iyon lang ang gusto kong ma-clear. Maraming salamat po.

THE CHAIRPERSON. Thank you. Congressman Garin, you're recognized.

REP. GARIN. Maraming salamat, Mr. Chair. Magandang gabi po sa lahat. Mr. Chair, let me go back to Sir Lemuel Ortonio. Okay.

Sir, you're the Assistant Chief of Staff of the Office of the Vice President, correct?

MR. ORTONIO. That's correct, Mr. Chair, Your Honor.

REP. GARIN. Okay. As Assistant Chief of Staff, kayo po ang nag-request sa DBM...I forgot what do you call that...ah, request for augmentation of funds, tama po ba?

MR. ORTONIO. I'll just check, Your Honor.

REP. GARIN. You had a letter request that was showed earlier.

MR. ORTONIO. If I recall it right, Ma'am, the request for additional funding is signed by the VP, if you are referring to the...

REP. GARIN. Signed by the?

MR. ORTONIO. By the VP.

REP. GARIN. By the VP.

MR. ORTONIO. Vice President.

REP. GARIN. Pero nandoon po iyong pangalan mo sa sulat, correct?

MR. ORTONIO. May I be clarified na lang po, Your Honor, on the document that you are referring to.

REP. GARIN. It's dated September 19, 2022, addressed to Ms. Mary Grace Delos Santos. It mentions that in...pertaining to your request for additional funding...

(MS. NERIZZA G. ONA TOOK OVER)

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REP. GARIN. (Continuing)...additional funding, you are respectfully submitting the documents to support the said request, at kasama nga doon ang physical and financial plan, as prescribed under COA-DBM Joint Circular 201501, which is actually the joint circular on confidential funds. Tama po, Mr. Chair?

MR. ORTONIO. Yes, that's correct, Your Honor. I signed that document.

REP. GARIN. Okay.

So, noon pong sinabmit *(submit)* ninyo itong physical and financial plan sa DBM, kaakibat doon ang request for confidential funds. Tama po?

MR. ORTONIO. The physical and financial plan, Your Honor, was part of the requirement that DBM...

REP. GARIN. Yes. If I may, because of the time constraints, it's a yes or it's a no?

MR. ORTONIO. Uhm, yes, it's part of a requirement...

REP. GARIN. Okay.

MR. ORTONIO. ...from DBM.

REP. GARIN. So, noong sinabmit *(submit)* ninyo po yuon at dumating nga sa inyo, ang nakalagay po kasi...I'm just looking for the specific terminology, because it's not with me now, but it actually mentions confidential...confidence building activities in the Office of the Vice President. Iyung PAP ninyo.

MR. ORTONIO. In the PFP, that's correct, Your Honor.

REP. GARIN. Yeah. So, confidence building in the Office of the Vice President.

MR. ORTONIO. Correct.

REP. GARIN. Tama po?

MR. ORTONIO. That's correct.

REP. GARIN. Okay.

There were also news when the confidential fund was being discussed that part of the funds were actually used to construct the satellite offices of the Vice President. Tama po?

MR. ORTONIO. Uhm, can you rephrase the question? Can you repeat the question again, Your Honor?

REP. GARIN. Noong pumutok ang usapin ng confidential fund, nagkaroon ng mga usapan kung saan isa sa sinago and I believe it was in one of the documents that was attached as request by the Office of the President...the Office of the Vice

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President, na portion ng pera ay ginamit para sa imprastraktura. Ibig sabihin, iyung mga extension offices ng Office of the Vice President.

MR. ORTONIO. Uhm, on...is it pertaining to the confidential funds, Your Honor?

REP. GARIN. Yes. Mayroon bang ganoon or wala?

MR. ORTONIO. Uhm, I cannot remember, Your Honor, because...I cannot remember connecting the confidential funds to the infrastructure...

REP. GARIN. So, walang ginamit na confidential fund for infrastructure programs?

MR. ORTONIO. As far as I know, Your Honor. As far as I know.

REP. GARIN. Okay.

So, moving forward, ano po ang pinaggamitan ng confidential fund?

MR. ORTONIO. Based on the information that was relayed to me when we drafted the AOM, part of which, if I can remember it right, it's on the...part of which is on the purchase of information, reward...payment of reward, rental of safehouses, purchase of supplies, provision of medical and food aide, and payment of incentives or travelling relative to confidential operations. That is based on the accomplishment report that was submitted to COA.

REP. GARIN. Okay. Let us compare iyung confidence building in the Office of the Vice President. Ang pagkaintindi ko, iyon iyung PAP. Ibig sabihin, iyon iyung bahay, iyon iyung description ng pangkabuuang project. Tama po ba, Mr. Chair?

MR. ORTONIO. I'd like to correct lang po, Your Honor. The PAP, as reflected in the PFP, it's good governance program po.

REP. GARIN. Ano po iyung implementation of the activities and confidence building in the Office of the Vice President? How do you call that? I'm just...sorry, Mr. Chair, I saw that document with Congresswoman France Castro, pero ngayon, eh, nakaalis na siya. Maybe, the Secretariat can assist me. It was actually the matrix—no, not the matrix—the document that showed...it's a table. Nakalagay doon iyung confidence building activities.

MR. ORTONIO. Ah, okay. It's on the expected outcome, Your Honor. It's on the second column, expected outcome.

REP. GARIN. Okay.

Again, maybe the Secretariat can show us the document in the...

So, ang nakalagay po sa second column, ano po ang nakasaad doon? Ayan, I already saw it, 'no.

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It actually says, "program-project-activities per physical and financial plan." Ang nakalagay sa baba, this is actually the accomplishment report, utilization of confidential and intelligence funds, 'no. It says, "safe implementation of OVP initiatives and confidence building."

Ano po ang ibig sabihin nito, as the Assistant Chief of Staff, Sir Lemuel Ortonio?

MR. ORTONIO. In my understanding, Your Honor, its activities that...sorry. Mga activities po ito, Your Honor, to ensure that all the activities of the OVP will be implemented safely, and that no untoward incidents will happen in the implementation of those activities.

REP. GARIN. Mr. Chair, with, of course, due courtesy to Sir Lemuel Ortonio, puwede ninyo po bang ma-define ang confidence building?

MR. ORTONIO. Based on my understanding, Your Honor, confidence building is ensuring that the image of the OVP is maintained, and that no threat will be...uhm...walang threat na mangyayari to the institution itself. That's my understanding, Your Honor, but...

REP. GARIN. Mr. Chair, so, when it...ang sa pagkaintindi ng OVP, kapag sinabi nating "confidence building," ang ibig sabihin nito ay, you build the image of the Vice President, of the Office of the Vice President?

MR. ORTONIO. The institution, Your Honor.

REP. GARIN. Of the institution.

MR. ORTONIO. The institution.

REP. GARIN. By institution, you are referring to the Office of the Vice President?

MR. ORTONIO. The office. That's correct, Your Honor.

REP. GARIN. Okay. You build the image, and at the same time, you prevent threats to the office?

MR. ORTONIO. That's correct.

REP. GARIN. Okay.

If we look at and search "confidence building," well, it's a...it can be said, 'no, improving the confidence and practicing self-care. But, basically, it means building someone's trust or someone's confidence. And, in this case, kanino pong trust ang bini-build ninyo?

MR. ORTONIO. It's the institution po, Your Honor.

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REP. GARIN. So, the trust ng Office of the Vice President na mga empleyado papunta sa leadership? Ganoon po ba?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. Okay. Saan po nangyayari ang payment of rewards?

MR. ORTONIO. Your Honor, I won't be able to provide information because I am not familiar on the disbursement of the confidential funds.

REP. GARIN. Pero kasi dito, ang nakasaad ay, "confidence-building activities in the Office of the Vice President." So, kung hindi po alam ng halos lahat ng nandidito, paano po ito naganap because it's confidence-building in the Office of the Vice President?

MR. ORTONIO. Based on the information that was shared earlier, Your Honor, it's...the activities are being implemented through the security officer.

REP. GARIN. And the participants are the security officers of the Vice President?

MR. ORTONIO. I'm not...I'm not familiar, Your Honor, who are the participants, but it's the security officer who takes the lead in the activities.

REP. GARIN. Okay.

So, Mr. Chair, dito po sa inyong mga naipakita, mayroong provision of medical and food aide. May I ask the Commission on Audit, alam po natin na iba po ang auditing ng confidential funds *vis a vis* the regular funds. 'Pag confidential funds ang ginamit, bumili ka ng office supplies, bumili ka ng mga gamot, mayroong mga food, mga pagkain, kailangan ang resibo o hindi?

MS. CAMORA. Ah...normally, kailangan po ng resibo.

REP. GARIN. So, even if it is confidential fund, dapat may resibong naka-attach. Tama o hindi?

MS. CAMORA. Mayroong documentary evidence of payment.

REP. GARIN. So, mayroon bang resibong naka-attach, Ma'am, or wala?

MS. CAMORA. Ah...wala po, DEP lang po. Acknowledgment receipt.

REP. GARIN. So, kunyari confidential fund ang source, at ang nilagay doon ay purchase of medicines and food, hindi kailangang maglagay ng resibo doon sa gamot or pagkain na binili. Ganoon po ba?

MS. CAMORA. Ah...based on the joint circular ngayon, documentary evidence of payment lang po ang required.

REP. GARIN. Documentary evidence of payment.

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Ang ibig sabihin nito, pipirma kung sino ang nakatanggap ng gamot o ng pagkain. Tama ba?

MS. CAMORA. Ah, noong cash po.

REP. GARIN. So, noong pumirma noong cash.

Earlier, Mr. Chair, I believe Sir Lemuel Ortonio was already here when Gina Acosta was saying, iyon pong pera ay hindi niya naiintidihan kung sino-sino iyung mga taong nasa acknowledgment receipts kasi binigay niya kay Colonel?

MR. ORTONIO. Colonel Lachica po.

REP. GARIN. Okay, Colonel Lachica...

(MS. THELMA M. RETUBA TOOK OVER)

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REP. GARIN. (Continuing)...Okay, Colonel Lachica, Mr. Chair. Sa pananaw ninyo, Mr. Lemuel Ortonio, kung ikaw iyong SDO, ibibigay mo iyong pera kay Col. Lachica? Sino ang dapat na pumirma ng acknowledgement receipt?

MR. ORTONIO. For this one, Your Honor, it's Col. Lachica because it's Col. Lachica who received.

REP. GARIN. Ang ibig sabihin, kung sino ang tumanggap ng pera ay dapat siyang nakapirma.

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. So, in this case, do you believe that Gina Acosta committed a possible crime?

MR. ORTONIO. I cannot say yes or no, Your Honor, because I do not know on the process how...iyong process nilang dalawa.

REP. GARIN. Hindi, doon lang tayo, Mr. Chair, sa acknowledgment receipt. Very basic, ikaw ang SDO, example, kasi wala dito si Ma'am Gina Acosta, pero ikaw ang kasama na pumunta sa bangko, ibinigay sa iyo ang 125 million pesos dahil sa approval at utos ng Vice President, ngayon, in-encash mo iyong pera. As SDO, Mr. Chair, and as an Assistant Chief of Staff, hindi po ba ang ibig sabihin ng SDO accountable siya doon sa pera?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. Okay. Ngayon, iyong pera na iyon ipamimigay niya. Puwede niya bang ipabigay sa ibang tao kagaya sa iyo o hindi?

MR. ORTONIO. Sorry, Your Honor, can you repeat the question.

REP. GARIN. Puwede...Cebuano ka, Sir, 'no?

MR. ORTONIO. Cebuano, Ma'am, ko.

REP. GARIN. Puwede ba na lain ang muhatag sa kuwarta?

MR. ORTONIO. Based on my understanding, Your Honor, and considering...as what was mentioned by Ms. Gina Acosta earlier, because the security...

REP. GARIN. No, Mr. Chair, let me rephrase my question.

Sir Lemuel, you have been in government for a long time, I fully believe that you are capable and intelligent. Very basic iyong ating pinag-uusapan, SDO—Special Disbursing Officer, taga release ng pera. Tama po o hindi?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. Okay. So, kung ikaw ang SDO, magre-release ka ng pera, number one question, sino ang dapat na pumirma?

MR. ORTONIO. The one who received the fund.

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REP. GARIN. Iyong binigyan ng pera. Second question, sino ang puwedeng mag release?

MR. ORTONIO. Based on the functions of the SDO, it's the SDO.

REP. GARIN. Can that function of the SDO be delegated to another person, Mr. Chair? Example, ikaw si Ma'am Gina Acosta, nasa iyo ang pera, puwede bang sabihin mo kay Atty Sanchez, "Atty. Rosalyn, ikaw na muna mamigay ng pera, ikaw na muna magpa receive." Puwede o hindi?

MR. ORTONIO. As far as I can...

REP. GARIN. Sir Lemuel, it can be answerable by yes or no. Per your experience and per your knowledge, that's basic knowledge.

MR. ORTONIO. Yes, Your Honor.

REP. GARIN. So, puwede na ibang tao ang magbigay ng pera?

MR. ORTONIO. Based on my understanding on the JMC, Your Honor.

REP. GARIN. Where in the joint memorandum circular is this stated, Mr. Chair?

MR. ORTONIO. Based on my understanding, Your Honor, because there is no...hindi nakalagay, Your Honor, kung puwede or not na ma-delegate. So, I would understand it na once it is disbursed, the funds can be...parang disbursed also.

REP. GARIN. Mr. Chair, kanina itinanong ni Congressman Marcoleta, ano muna daw ang mga batas na puwede nating gawin dito. And this is very clear that we need stronger laws because we have people in government being given a huge task, handling millions and even billions of pesos, na hindi nila naintindihan ang responsibilidad na kaakibat ng ganito.

So, uulitin ko, Mr. Chair. Ang sinasabi ni Sir Lemuel Ortonio, kung siya ang SDO, kung siya si Ma'am Gina Acosta, puwede niyang utusan na iba na gawin ang trabaho niya, puwede niyang iutos sa iba ang pagpamigay ng pera. Ingani lang kasimple. Gihatag sa imo ang tseke, example, payee: Mr. Lemuel Ortonio; amount, example, 500 million, i-encash nimo ang 500 million, ikaw karon ang responsable, puwede ba nimo nga ihatag nimo nako pero ang ako papirmahon si Cong. Zia or ihatag nimo nako pero ako papirmahon ang katong mga barangay captain didto sa barangay. Is that legal, Mr. Chair, or not?

MR. ORTONIO. As to the...

REP. GARIN. Sir Lemuel, you are under oath, we would like to help everybody, 'no, what we need is actually full cooperation. Because if we realize that many people, high ranking government officers, at that point, do not understand the degree of accountability in handling billions of pesos, then we're doomed.

MR. ORTONIO. I understand, Your Honor.

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REP. GARIN. Yeah. Maybe I can ask Ma'am Fajarda. I believe, coming from DEPED, you're also very knowledgeable on basic government processes.

THE CHAIRPERSON. Atty. Fajarda, you are recognized.

MS. FAJARDA. Thank you, Mr. Chair. Yes, Ma'am.

REP. GARIN. Yes. So, Atty. Fajarda, in your understanding of an SDO, ano po ang ibig sabihin ng isang SDO?

MS. FAJARDA. The SDO is the Special Disbursing Officer which is the accountable person for the funds that are being...

REP. GARIN. Entrusted...

MS. FAJARDA. ...entrusted to him, Your Honor.

REP. GARIN. Thank you very much, Atty. Sunshine.

Ngayon, iyong SDO pag binigyan ng pera, cash at tseke, i-encash ng SDO, who is accountable for that money?

MS. FAJARDA. It should be the SDO, Your Honor.

REP. GARIN. Okay. Kung siya ang accountable ngayon, sino ang pipirma ng acknowledgement receipt?

MS. FAJARDA. The one who she or he disbursed the money to, Your Honor.

REP. GARIN. Na nakaharap niya?

MS. FAJARDA. Yes, Your Honor.

REP. GARIN. Mr. Chair, I'm not really sure because earlier I was travelling in the province in coming to Manila, maybe the Secretariat can check on this, I somehow overheard Ma'am Gina Acosta saying na, "Ah, iyong iba hindi niya daw naintindihan kasi ang utos ni Vice President i-encash iyong pera at ibigay niya kay Vice President. Tama po ba? Was it mentioned earlier?

THE CHAIRPERSON. I-encash iyong pera at ibigay kay Col. Lachica.

REP. GARIN. Lachica.

THE CHAIRPERSON. Lachica.

REP. GARIN. Okay. But did she mention na because ang utos ni Vice President?

THE CHAIRPERSON. Upon the instruction of the Vice President.

REP. GARIN. So, there was no instance that the money was turned over to the head of the agency or the Vice President?

THE CHAIRPERSON. Insofar as what I can recall, wala po yata.

REP. GARIN. Wala. Okay. Okay. So, in this case, Ma'am Sunshine, narinig ninyo rin kanina si Ma'am Gina Acosta, sino ang dapat pumirma?

MS. FAJARDA. The person whom she disbursed the money to supposedly, Your Honor.

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REP. GARIN. Okay. Now, Mr. Chair, let me go to Mr. Edward Fajarda. Sir, you are the SDO of DEPED.

MR. FAJARDA. Yes, Your Honor.

REP. GARIN. You encashed 37.5 million how many times?

MR. FAJARDA. Three times, Your Honor.

REP. GARIN. Three times. After encashing it, to whom did you turn it over?

MR. FAJARDA. After encashing it, nagdi-disburse po ako sa Security Officer.

REP. GARIN. What's the name of the Security Officer.

MR. FAJARDA. Col. Dennis Nolasco.

REP. GARIN. Col. Nolasco. Buo iyan.

MR. FAJARDA. Hindi po. Hindi po, Your Honor, kasi mostly weekly.

REP. GARIN. Weekly.

MR. FAJARDA. Mostly.

REP. GARIN. Okay. Siya lang ang binibigyan mo.

MR. FAJARDA. Yes, Your Honor.

REP. GARIN. So, in this case, the acknowledgment receipts, under DEPED confidential funds, were all signed by Col. Nolasco?

MR. FAJARDA. No, Your Honor.

REP. GARIN. Why?

MR. FAJARDA. Ang napirma po sa acknowledgment receipt ay iyon pong tumanggap ng pera.

REP. GARIN. Akala ko ang binigyan mo ng pera ay si Col. Nolasco.

MR. FAJARDA. Ang pinipirmahan niya po iyon pong ibinigay ko sa kanya, iyon po ang pipirmahan niya. Pero iyon pong acknowledgment receipt, sa field po iyan, eh. Let's say, for example, bayad po sa safehouse, kung sino po iyong pinagbigyan niya...

REP. GARIN. So, Mr. Chair, can we now ask the Commission on Audit. Ma'am, can the SDO delegate his or her functions?

MS. CAMORA. Mr. Chair, based on the certification po, hindi po.

REP. GARIN. So, hindi puwede na iba ang mang distribute the pera unless sila ay SDO din...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. GARIN. (Continuing)...SDO din. Ano po ang violation, Mr. Chair, Your Honor, doon sa ginawa ni Mr. Edward Fajarda?

MS. CAMORA. Mr. Chair, kasi dapat bonded iyong SDO ng confidential funds, so na-dedicate po siya to non-bonded personnel.

REP. GARIN. Precisely. So, ang tanong, ano ang liability?

MS. CAMORA. May violation po sa Joint Circular, Mr. Chair. I think, mayroon pong violation...penal clause dito sa Joint Circular.

REP. GARIN. At ang ba...pagka ikaw ay nag-violate, ano pong ibig sabihin noon?

MS. CAMORA. Mayroon po iyong sanctions dito sa Joint Circular, Mr. Chair.

REP. GARIN. Mr. Chair, let me point page 8 at the Joint Circular. "Disbursements from CF shall be supported by certification of the accountable officer signed under oath containing the following: That the certifying officer/employees accountable for the disbursements from the cash advance." Iyan po ang pinag-uusapan. "Expenses incurred in connection with the agency's confidential operations." At ang ibig ngang sabihin dito is iyong confidence building sa Office of the Vice President. "In the case of misuse, depending on the participation in the transaction, the budget officer, the chief accountant, the treasurer, and the project officer may likewise be held accountable with the SDO." Naiintindihan po ba ito, Mr. Chair, ng ating kagalang-galang na resource person?

MR. FAJARDA. Your Honor, ang nakalagay po sa SDO is to disburse, so hindi po kasi nila na-ex...hindi po...masyado po kasing general, hindi po naka-speci...

REP. GARIN. 'Pag mag-disburse, ano po ba sa Tagalog ang disburse?

MR. FAJARDA. Ibigay po iyong pera.

REP. GARIN. Magbigay, okay.

MR. FAJARDA. So, nagbigay po ako ng pera sa...

REP. GARIN. So, 'pag magbigay ka ng pera, ano ang kapalit noon?

MR. FAJARDA. Mayroon po siyang...mayroon po akong pinapipirmahan sa kanya.

REP. GARIN. May pinapapirmahan ka.

MR. FAJARDA. Opo.

REP. GARIN. So, bakit itong pinapirmahan mo kay Colonel Nolasco ay hindi mo in-attach doon sa iyong liquidation?

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MR. FAJARDA. Ang kailangan po kasi is the documentary payment of evidence, so hindi po ako nagpapapirma sa kanya. Or AR. Ang AR po kasi ay doon lang sa field.

REP. GARIN. Kaya nga, Mr. Chair. Bakit hindi ka bumaba sa field?

MR. FAJARDA. Your Honor, hindi po...hindi...kasi ang...confidential operation po kasi ang ginagawa ng security officer. So, kung confidential po operation iyan, hindi po ako expert diyan, hindi ko po magagawa iyan kasi all over the Philippines po iyan.

REP. GARIN. Did you inform the Vice President na hindi mo kaya or untenable or hindi kaya na ikutin mo lahat at distribute-an mo?

MR. FAJARDA. Your Honor, alam naman po iyan ng Vice President na...

REP. GARIN. Alam niya pero wala siyang ginawa?

MR. FAJARDA. Nag-assign po ng...nag-designate po siya ng security officer.

REP. GARIN. Okay. At ang security officer na iyon ay SDO na rin o hindi?

MR. FAJARDA. Hindi po, ako lang po.

REP. GARIN. So, can you please describe to this august body the definition of the functions of a security officer?

MR. FAJARDA. Ang security officer po ay siya po ang in charge sa mga security...confidential information, confidential operations.

REP. GARIN. Kasama ba doon iyong pagiging disbursement officer?

MR. FAJARDA. No, Your Honor, hindi po kasama.

REP. GARIN. Yeah. So, Mr. Chair, ang tanong, hindi ba puwedeng i-issue mo iyong acknowledgment receipt kay Colonel Nolasco tapos iyon ang iyong attachment, tapos siya naman i-a-attach niya iyong kanyang ginawa sa 'baba?

MR. FAJARDA. Your Honor, ang...maba-violate po kasi doon sa JMC na dapat magagas...lang po iyon sa purchase of information.

REP. GARIN. Hindi, kaya nga. Kaya nga. So, kung parang gawin na natin, sabihin natin siya iyong team leader na gumagawa noong task na iyon, eh, bakit hindi mo doon ni-release?

Let's say, example, in a field operation in the province of, let's say, so and so, eh, kung mayroong tao doon na naka-assign si Madam Vice President, hindi ba puwedeng iyong tao na iyon lumipad sa iyo, pagkatapos, tatang...i-release mo rather than releasing it to one person? Kasi ang nangyari niyan binigay mo sa isang tao,

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pera iyan ng taong-bayan, in-entrust sa iyo, hindi mo siya puwedeng ibigay sa iba nang basta-basta lang kasi naka-entrust iyan sa iyo, eh.

MR. FAJARDA. Your Honors, iyon pong security officers, siya po iyong naandoon mismo sa area, sa field. Siya po ang kumukolekta ng AR, dinadala po niya sa akin.

REP. GARIN. So, ibig sabihin, si Colonel Nolaso ang umikot sa 'baba sa lahat ng ito?

MR. FAJARDA. Mayroon po siguro siyang tao kasi hindi po niya kakayanin ng mag-isa po iyan.

REP. GARIN. That's precisely my point, Mr. Chair. And this needs probably an amendment of the law on accountabilities of whoever is concern. Kasi hindi naman sinasabi na i-release mo sa isang tao. Puwede mo namang i-release sa, let's say, beinteng Colonel Nolascos. That's our point.

Now, let me move forward. Ang 37.5 million ginagastos iyan sa loob ng tatlong buwan. Tama? Quarterly?

MR. FAJARDA. Tama po, Your Honor.

REP. GARIN. Okay. Magkano ang nauubos ninyo in a month's time?

MR. FAJARDA. In a month po, hindi po pare-pareho, eh, depende po.

REP. GARIN. Approximately, 5 million, 10 million?

MR. FAJARDA. Hindi ko po...

REP. GARIN. Approximately, a little over 10 million, i-average natin, say, 37.5.

MR. FAJARDA. Siguro po.

REP. GARIN. Okay.

MR. FAJARDA. Hindi po talaga...malayo po. Minsan hindi po talaga pare-pareho.

REP. GARIN. Minsan mababa?

MR. FAJARDA. Minsan mababa. Depende po kasi sa ano po.

REP. GARIN. Depende.

MR. FAJARDA. Opo. Yes, Your Honor.

REP. GARIN. My next question, Mr. Chair, kung hindi ninyo matantiya, minsan mababa, minsan mataas, bakit hindi ninyo ginawang monthly ang pag-disburse? At kasi nakalagay sa vault mo, 'di ba, then that will actually reduce the

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risk. Kasi ang ibig sabihin noon, at one point in time, matagal ang panahon natutulog ang 37.5 million sa office mo.

MR. FAJARDA. Your Honor, nagdi-disburse po ako sa kanya mostly weekly po.

REP. GARIN. Kaya nga, weekly. Eh, kung weekly ka, kung mayroon kang 10 million sa vault mo, magdi-disburse ka weekly, hindi ganoon ang risk rather than having 37.5 million cold cash in your office. Do you agree or you don't agree?

MR. FAJARDA. Your Honor, nagdi-disburse po ako weekly, mga 4 to 6 million per week, estimated po iyan.

REP. GARIN. Mag-4 to 6 million per week ka, sabihin na nating nasa lowest, 4 to 6 average is 5 million per week. Ibig sabihin, that's 20 million per month. That means in three months that's 60 million. Masyadong mataas kumpara sa 37.5.

Mr. Chair, either nagsisinungaling si Mr. Fajarda or hindi niya sinasabi ang totoo, which is actually pareho lang. Kanina ang sabi mo, on a monthly basis ang nire-release ninyo is hindi mo matantiya. Sabi ko, 10 million. Ang sagot mo, "Hindi, eh, mababa, 5. Okay. Ngayon ang sinasabi mo 4 to 6 million ka weekly. Eh, kung 4 to 6 million weekly ka ibig sabihin sa isang buwan that's 20 million.

MR. FAJARDA. More or less, Your Honor.

REP. GARIN. Okay. Mr. Fajarda, pag-usapan natin ang payroll. Familiar ka sa payroll?

MR. FAJARDA. Hindi po, Your Honor.

REP. GARIN. You have not heard of the word payroll?

MR. FAJARDA. Alam ko po. Pero paano po nagpa-process ng payroll, Your Honor, hindi po.

REP. GARIN. I'm not asking you about processing the payroll. Naiintindihan mo ba ang isang payroll?

MR. FAJARDA. Iyon po bang…ang ibig sabihin po ay iyong suweldo?

REP. GARIN. Yes.

MR. FAJARDA. Yes, Your Honor.

REP. GARIN. Okay. Kung ikaw ang may hawak ng pang-suweldo ng tao, let's say, sa isang payroll mayroon kang isang daang taong susuweldohan. Example, kung mayroon kang 1,000 na tao na susuweldohan ng 100,000 each, so hawak-hawak mo iyong pera or, sabihin na natin, 10,000 each. Puwede bang iyong suweldo ni Juan ay ipadala mo kay Maria at si Maria ang pipirma sa suweldo ni

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Juan? Or is it not na kapag may payroll, dapat ibigay mo ang suweldo sa taong nararapat?

MR. FAJARDA. Kung sino po iyong pinagbigyan ko siya po dapat ang pipirma, Your Honor.

REP. GARIN. So, ibibigay mo kung sino ang nakapangalan?

MR. FAJARDA. Kung kanino po talaga pupunta iyong payroll.

REP. GARIN. Tama. Eh, bakit dito sa confidential fund nakapangalan doon sa mga taong ni hindi mo kilala, pagkatapos binibigay mo? What if, iyong pinagbigyan mo ng pera ay wala naman talagang totoong mga taong...

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REP. GARIN. (Continuing)...totoong mga taong nakaharap and you are the one accountable for that, hindi po ba?

MR. FAJARDA. Your Honor, hindi po kasi ako expert doon sa trabaho ni...

REP. GARIN. Eh, kung hindi ka expert sa trabaho, bakit mo tinanggap ang pagiging SDO?

MR. FAJARDA. Your Honor, ang SDO po kasi is to disburse so...

REP. GARIN. Precisely, Mr. Chair. Nagdi-disburse ka ng pera, hindi mo pera—pera ng taong-bayan. Ibig sabihin, parte, major responsibilidad mo. Ibigay mo, i-release mo kung sino ang dapat na nakapirma diyan. Kasi ibig sabihin, niri-release mo doon sa kung sino ang dapat na humarap, hindi po ba?

MR. FAJARDA. Tama po, Your Honor. Pero kung iisa...

REP. GARIN. So, Mr. Chair, this is maybe something that can really be explored upon. Ano ba ang qualifications ng SDOs? Ano ba ang kanilang...Hindi na porke't bonded ka, eh, okay na. Let me move forward to Mr. Ortonio.

Sir Lemuel, kasama ka po na nagwi-withdraw ng...nag-e-encash ng tseke kay Ma'am Gina Acosta?

MR. ORTONIO. Yes. That's correct, Your Honor.

REP. GARIN. Okay.

Paano ninyo ina-arrange? Kasi ang sabi ng Land Bank noong nakaraang hearing, ang cash nila is usually maximum na iyong 5 million. May...Two to 5 million nga ang narinig ko noong last time. Paano ninyo ini-encash? Do you call them to prepare the cash?

MR. ORTONIO. As far as I know, Your Honor, our Cash Division calls Land Bank ahead that they're...

REP. GARIN. How many days prior?

MR. ORTONIO. I believe parang a day before...a day or two before, they inform Land Bank already.

REP. GARIN. So, Mr. Chair, may we inquire...may we ask the Land Bank official.

One day prior, the next day, kaya ninyo na iyong 125 million cash, Ma'am?

THE CHAIRPERSON. Land Bank, Ms. Violeta Constantino, you are recognized.

MS. CONSTANTINO. Your Honor, puwede naman po iyon. Usually po mga two to...a day or two po ang ano...

REP. GARIN. A day or two. Okay.

MS. CONSTANTINO. Opo.

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REP. GARIN. So, my next question, sa lahat ng ito, kasama ka ni Ma'am Gina Acosta?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. Prior to this, Sir Lemuel, have you had experiences withdrawing such a huge amount of cash?

MR. ORTONIO. No, Your Honor.

REP. GARIN. This is the first time.

MR. ORTONIO. Yes, Your Honor.

REP. GARIN. Sa iyong experience po, ano ang pinakamataas na nailabas mo sa bangko na cash na hindi na ikaw personally, or kasama ka, or whatever?

MR. ORTONIO. Maybe around 200 or 250, personal.

REP. GARIN. Two hundred; 250,000.

MR. ORTONIO. Yes, that I personally withdrew from the bank.

REP. GARIN. So, itong kasong ito, kasama mo si Ma'am Gina Acosta and she is how old?

MR. ORTONIO. Ms. Gina is 59 or 60.

REP. GARIN. Fifty-nine.

I hope you won't mind. How old are you, Sir Lemuel?

MR. ORTONIO. I'm...

REP. GARIN. You look young, ha.

MR. ORTONIO. I'm already 40...I'll be turning 43 po.

REP. GARIN. Oh, 43. Still young. Hindi ka ba ninerbiyos na 125 million cash ang bibitbitin ninyo palabas ng bangko?

MR. ORTONIO. Definitely, Your Honor, personally, yes, mayroon pong kaba.

REP. GARIN. Mayroong kaba. Kung mayroong kaba...Narinig ko rin kasi iyan kanina, Mr. Chairman, kay Ma'am Gina Acosta na kabadong-kabado siya. Okay. Ang tanong ko, pareho kayong kinakabahan, lalo na ikaw, Assistant Chief of Staff ka ni Madam Vice President, bakit hindi ninyo sinadyes *(suggest)* sa kanya na i-withdraw iyan *via* armored vehicle?

MR. ORTONIO. At that time, Your Honor, it was a thought that hindi namin na...hindi naisipan, truthfully, Your Honor.

REP. GARIN. But, hindi lang iyan once, hindi lang iyan twice, thrice, pang-apat. Kasi kung naisip ninyong...I mean...I'm not also sure, Mr. Chair.

Let us ask Land Bank. Pag ganitong mga withdrawal, hindi ba kayo nagsa-suggest na, "Oh, Madam Vice President, mag-MOA na po tayo kasi importante na

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may armored vehicle na maghahatid ng pera." Did you not suggest to the Office of the Vice President?

THE CHAIRPERSON. Ms. Violeta Constantino, you are recognized.

MS. CONSTANTINO. Your Honor, wala pong request po na galing sa...

REP. GARIN. Hindi nga. Nag-suggest kayo o hindi?

MS. CONSTANTINO. Hindi po.

REP. GARIN. Bakit?

Hindi kaya, Mr. Chair, hindi sila nag-suggest kasi baka naman private armored vehicle ang kumukuha ng pera at hindi lang nasasabi pero akala mo walang kasama pero maraming kasama. Because you would not dare release 125 million cash, carry it in the heavily traffic Metro Manila risk the lives of Mr. Lemuel Ortonio and Ma'am Gina Acosta and even the driver, na wala kang kaba kasi baka mamaya, ratratin iyan at kunin iyong pera. Is that a probability, Mr. Chair? Maybe, Land Bank can answer it. If not, Mr. Chair, tanong natin si Sir Lemuel.

Anong sasakyan ang ginamit ninyo?

MR. ORTONIO. The vehicle that I can remember is Innova.

REP. GARIN. Innova.

MR. ORTONIO. Yes. The one...

REP. GARIN. Dalawa?

MR. ORTONIO. Ang ma-recall ko lang po, Your Honor, was the vehicle that I was in, so it was Toyota Innova.

REP. GARIN. Nasaan iyong pera, kay Ma'am Gina or nasa iyo?

MR. ORTONIO. As mentioned earlier, Your Honor, it's with me po. It's in the vehicle that I was in.

REP. GARIN. Tapos si Ma'am Gina nasaan?

MR. ORTONIO. She's in another vehicle po.

REP. GARIN. So, Mr. Chair, Sir Lemuel, mawalang-galang na po. You are the Assistant Chief of Staff, bakit ka papayag na ikaw ang magbibitbit ng pera samantalang hindi ikaw ang SDO? In fact, as the superior of Ma'am Gina Acosta, you should have insisted that Gina Acosta should have and carried that money throughout kasi alam ninyo na hindi ka puwedeng magbitbit niyan dahil hindi ka bonded officer. Tama o mali?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. Eh, bakit ninyo...bakit ninyo inulit-ulit, apat na beses, at kung hindi pa nahuli, baka hanggang doseng beses iyan?

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MR. ORTONIO. Your Honor, because as mentioned by Ms. Gina, natatakot siya na nasa kanya lang and we do admit, Your Honor, na it would have been better na magkasama, kasama ko si Ms. Gina.

REP. GARIN. Okay.

Natatakot siya. Natatakot ka. Bakit ka pumayag na lahat nasa sa iyo?

MR. ORTONIO. The vehicle that I was in, Your Honor, had the...iyong VPSPG, the one I mentioned earlier.

REP. GARIN. Ilan?

MR. ORTONIO. There were two po. There were two.

REP. GARIN. Excluding the one driving

MR. ORTONIO. Including the one driving po.

REP. GARIN. So, isang nagdra-drive, isang nasa harap, tapos ikaw iyong pasahero?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. Bulletproof iyong Innova ninyo?

MR. ORTONIO. No, Your Honor.

REP. GARIN. So, madali siyang i-hold up. Wala kayong bulletproof na sasakyan na dala?

MR. ORTONIO. We do not have a bulletproof...

REP. GARIN. Hindi kayo nanghiram?

MR. ORTONIO. No, Your Honor.

REP. GARIN. Ano'ng sinakyan ni Ma'am Gina Acosta?

MR. ORTONIO. I cannot remember, Your Honor. Unfortunately, the vehicle of Ms. Acosta, it could have been also a Toyota Innova but I am...

REP. GARIN. Pero apat na beses ninyong ginawa iyan kaya lang nagkaroon ka ng temporary amnesia. Tama po?

MR. ORTONIO. Hindi ko lang po talaga maalala iyong vehicle ni Ms. Acosta. But, again, most probably, it's Toyota Innova because it's either a van or Toyota Innova po ang vehicle.

REP. GARIN. Another question, Mr. Chair.

Sir Lemuel, how long have you been in government?

MR. ORTONIO. I've been in government for...since 2008 po, so...

REP. GARIN. What was your previous position before becoming Assistant Chief of Staff of the OVP?

MR. ORTONIO. Previous position, I was the Department Head for the Human Resource Management Office of the City Government of Davao.

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REP. GARIN. Yes. And that's quite a high position because it's a big city, you're Department Head. Kaakibat doon, alam na alam mo ang mga responsibilidad ng bawat kawani ng gobyerno.

MR. ORTONIO. That's correct.

REP. GARIN. In this case, did you not recommend to the Vice President, as Assistant Chief of Staff, that the risk of the taxpayers' money amounting to 125 million every three months ay hindi safe sa paraan ng pagkukuha ninyo?

MR. ORTONIO. I did not mention it anymore to the VP.

REP. GARIN. Why? Ninenerbiyos ka, takot ka, Innova ang dala ninyo, isang security lang, iyong isa nagda-drive, hindi kayo naka-bulletproof. Siyempre ikaw naman, eh...I mean, you are not that old, but you are not that young either, at nandoon iyong kargo ninyo at hindi ikaw ang may hawak ng pera na iyan. So, bakit hindi mo ipinarating sa kanya na mali ang proseso ninyo?

MR. ORTONIO. At that time, Your Honor, hindi namin naisipan, Your Honor.

REP. GARIN. Okay. From the bank, where do you bring the money?

MR. ORTONIO. We bring it to the office, Your Honor.

REP. GARIN. Saang office?

MR. ORTONIO. Office in Mandaluyong...

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MR. ORTONIO. (Continuing)…Mandaluyong po.

REP. GARIN. Ang sabi ni Ma'am Gina Acosta kanina, ano iyon, may extension office siya?

MR. ORTONIO. Yes, Your Honor, within the…within the office in Mandaluyong.

REP. GARIN. Alam ba ito ng ibang kawani ng OVP o hindi?

MR. ORTONIO. Ang alam ko po, no. I believe not. So, I am not sure, really, Your Honor.

REP. GARIN. Ano iyong office na iyon, government property…

MR. ORTONIO. Yes, it's within the…

REP. GARIN. …or rented?

MR. ORTONIO. No, it's within the OVP office, you mean, Your Honor.

REP. GARIN. Iyong extension office ni Ma'am Gina Acosta.

MR. ORTONIO. It's within the same floor, not in the office.

REP. GARIN. I know. Ang sinasabi mo nga is ito, office ito ni Vice President. Ang tanong ko, iyong extension office ni Ma'am Gina Acosta, nasaan? Nandoon, or iba, malayo?

MR. ORTONIO. It's within the same floor po. It's within the same floor.

REP. GARIN. So, if it is within the same floor, paano hindi malalaman ng ibang empleyado ng OVP?

MR. ORTONIO. The set up right now in the Office of the Vice President po, there is a wing for the staff and there's another…a separate wing po. So…

REP. GARIN. There's a separate wing for what?

MR. ORTONIO. For where the Vice President is.

REP. GARIN. Okay. And where is the extension office of Ma'am Gina?

MR. ORTONIO. It's within that area po.

REP. GARIN. Saan?

MR. ORTONIO. Sa Executive…

REP. GARIN. Iyong dito sa mga staff or dito sa kay Ma'am…Ma'am VP.

MR. ORTONIO. Yeah, Executive Wing po.

REP. GARIN. Okay. Sa Executive Wing, aside from the Vice President, ilan ang empleyado doon, plus the security? How many people have access to that office?

MR. ORTONIO. More or less, Your Honor, maybe around 20 people, more or less.

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REP. GARIN. Security po?

MR. ORTONIO. Security, I'm not sure how many security are there, but maybe roughly around 10 to 15, maybe.

REP. GARIN. Ten to fifteen. So, let's put it at 35 persons. Hindi ba nakakapagtaka, 35 persons, Mr. Chair, ni isa walang alam na may extension office doon?

MR. ORTONIO. Maybe they just thought…Again, I do not know the perception of others, Your Honor, so it could be that they know it's an office of Ms. Gina.

REP. GARIN. So, walang nakakaalam na may opisina doon na linalagyan ng pera na kina-cash advance ni Ma'am Gina Acosta?

MR. ORTONIO. I…I would have to say so, Your Honor.

REP. GARIN. Paano kayo umaakyat sa building, dumadaan ng elevator o hindi?

MR. ORTONIO. Elevator po. Elevator po.

REP. GARIN. So, iyong mga tao nakakakita sa dinadaanan niyo ay hindi nagtataka doon sa mga malalaki at mabibigat na bag?

MR. ORTONIO. I cannot say, Your Honor, kung ano po iyong perception ng mga people who…

REP. GARIN. Do you think it would have been safer to bring it to somebody else's house?

MR. ORTONIO. I am not sure, Your Honor, because if dadalhin po sa ibang bahay, I am not sure if that would look well. So…

REP. GARIN. So, hindi siya nadala sa kung kanino mang bahay?

MR. ORTONIO. Based on the information that was shared, and yes, dahil from the bank we headed straight to the office.

REP. GARIN. You headed straight to the office. Balikan natin, Mr. Chair, iyong amount. Bakit hindi ka nag-suggest mas sobra sa isang SDO to lessen the risk?

MR. ORTONIO. Your Honor, the designation of the SDO came directly po from…from the Vice President.

REP. GARIN. Sorry, come again.

MR. ORTONIO. The designation of the SDO came directly…

REP. GARIN. Yes. Isa lang, 'di ba? So, 125 million iyong pera na at one-time palaging ine-encash ni Ma'am Gina.

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MR. ORTONIO. That's correct.

REP. GARIN. As Assistant Chief of Staff and actually the Chief of Staff on Admin and Finance sa pagkaintindi ko, bakit hindi mo sinadyes *(suggest)* na maging dalawa o tatlo ang SDO or you should...you could have suggested to lessen the amount being withdrawn, kunwari ginawa mong monthly iyong withdrawal. Bakit? Bakit kailangang maging buo and increase the risk? Mayroon ba kayong pagbibigyan ng one-time ng 125 million?

MR. ORTONIO. Again, Your Honor, as to the disbursement and use, I am not familiar, Your Honor. The instruction...

REP. GARIN. As Chief-of-Staff, kaabikat ba ng iyong responsibilidad ang mag-recommend ng mga tamang gawain?

MR. ORTONIO. Partly, Your Honor. That's part of it.

REP. GARIN. Okay. Let me proceed to the disbursement vouchers. You are the Assistant Chief of Staff. Dapat pinroteksyunan mo si Vice President. Nakalagay doon may pirma ka. May pirma rin si Ma'am Julieta Villadelrey. Pareho kayong dalawa, Ma'am. Ang nakalagay doon, 'pag pumipirma si Vice President Sara Duterte, certified expenses, cash advance necessary, lawful and incurred under my direct supervision. Sa pagkaintindi niyo ba, kaakibat diyan na siya ang mismong responsibilidad to safeguard and make sure that 125 million encashed by Gina Acosta quarterly should be legally and lawfully utilized, tama po ba, Sir Lemuel?

MR. ORTONIO. Yes, that's correct, Your Honor.

REP. GARIN. Ma'am Villa...Ma'am Julieta?

MS. VILLADEREY. Tama po, Your Honor.

REP. GARIN. Pakilakasan po, Ma'am.

MS. VILLADELREY. Tama po, the Vice President.

REP. GARIN. So, ang ibig niyon sabihin, maski nakapirma kayo ditong dalawa, ang direct accountable person is the Vice President?

MS. VILLADELREY. Your Honor, ang certification po ng accountant is pertaining to cash availability and completeness of supporting documents for the cash advance.

REP. GARIN. Okay. How about the Assistant Chief of Staff?

MR. ORTONIO. For the DB, it's for the approval of the payment, Your Honor.

REP. GARIN. Approval of the payment.

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MR. ORTONIO. Yes, Your Honor.

REP. GARIN. In other words, kung accountable si Vice President Sarah Duterte, you are equally accountable, tama po ba?

MR. ORTONIO. I would have to say so, Your Honor. Yes.

REP. GARIN. In other words, bakit pinayagan mong labas-pasok ang cash na parang...walang mga safeguards? My next question, sinabi kanina ni Ma'am Gina Acosta bumili siya ng tatlong vault, tama?

MR. ORTONIO. *(Nodding)*.

REP. GARIN. Gaano kalaki iyong vault?

MR. ORTONIO. As she mentioned, Your Honor, mga around 4 feet daw, Your Honor. Iyon iyong recollection ko.

REP. GARIN. Was this privately purchased or purchased by government?

MR. ORTONIO. It could be privately purchased po because I never recall...

REP. GARIN. Who paid for the vaults?

MR. ORTONIO. That I do not know po, Your Honor,...

REP. GARIN. Okay.

MR. ORTONIO. ...because I never recalled signing any procurement for...for vaults.

REP. GARIN. Ang next question ko, bakit kailangang bumili ng tatlong vault na puwede ka namang magkaroon ng isang vault? Magkano ang laman nung...Kung sinasa...Boong 125 million ba ang pumapasok sa isang vault...ah, sa tatlong vault?

MR. ORTONIO. As mentioned by Ms. Acosta, pinagkakasya iyong money?

REP. GARIN. So, why did you not...bakit hindi niyo hinati-hati iyong pera?

MR. ORTONIO. Sorry, Your Honor.

REP. GARIN. Bakit hindi hinati-hati? Bakit hindi ginawang monthly?

MR. ORTONIO. The allocation, Your Honor, is per quarter po that's why the...

REP. GARIN. So, you cannot release it on a monthly basis, Mr. Chair, ganoon ba?

MR. ORTONIO. Per our understanding, Your Honor, the...the preparation for the release is on a quarterly basis.

REP. GARIN. Come again.

MR. ORTONIO. Quarterly basis.

REP. GARIN. Quarterly basis ang release. Kaninong desisyon iyon?

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MR. ORTONIO. This is coming from the Office of the Vice President po. Sa Vice President.

REP. GARIN. So, quarterly ang release based sa instruction ni Vice President?

MR. ORTONIO. The preparation, yes, Your Honor.

REP. GARIN. Hindi, eh. Ang pinag-uusapan nga natin encashment ng pera.

MR. ORTONIO. Yes, Your Honor.

REP. GARIN. Kasi nakapirma ka and si Atty. Sanchez, 'di ba, so alam niyo rin iyong accountability?

MR. ORTONIO. Correct.

REP. GARIN. Puwede ba siya maging monthly instead of quarterly para maging safe?

MR. ORTONIO. Based on the understanding, it's quarterly po.

REP. GARIN. Hindi nga. Ang tanong nga, puwede ba siyang maging monthly? Ang quarterly kasi nanggaling ang instruction kay Vice President. Puwede bang gawing monthly iyong pag-withdraw niyo, kunwari 40 million per month? Mas less ang risk...

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REP. GARIN. (Continuing)...less ang risk. At kung ma- holdup man kayo sa daan, 40 million iyong makukuha, hindi 125 million. Kaya ba iyan gawin o hindi?

MR. ORTONIO. It can be, Your Honor.

REP. GARIN. Why did you not recommend it?

MR. ORTONIO. Again, the instruction na po, Your Honor, was from the Vice President po.

REP. GARIN. Can you comment, Atty. Rosalynne Sanchez, on the same topic?

Yes, the Chair nods. You're recognized yata.

MS. SANCHEZ. Thank you, Mr. Chair.

Your Honor, I was not consulted on this matter. It was my understanding that in matters pertaining to confidential funds, it would be handled directly by the head of agency, Your Honor, and I was never consulted.

REP. GARIN. Even if you were not consulted, you are the one signing the checks. Kayong dalawa ni Mr. Lemuel Ortonio ang pumipirma ng tseke, 'di ba?

MS. SANCHEZ. Yes, Mr. Chair.

REP. GARIN. So, 'pag pumipirma kayo ng tseka, alam ninyo na 125 million cash bawat tatlong buwan ang kukunin ni Ma'am Gina Acosta. Kaya ang tanong dito, tama ba iyon or hindi kayo nag-recommend? Hindi ninyo inisip iyong safeguards and at every one point in time may 125 million na cash sa office ninyo, eh, siyempre with that huge amount, possible criminals puwede iyang pasukin ng walang takot, 'di ba? Yes or no, Mr. Chair.

MS. SANCHEZ. Mr. Chair, I did not recommend, but it was my understanding that with matters pertaining to security arrangements, the...

REP. GARIN. No, Ma'am. My question is, hindi ninyo ba nakita ang risk? Hindi ninyo ba nakita iyong risk, na delikado 125 million kukunin ng cash, isasakay sa Innova, ililipat pa doon kay Lemuel. Tapos dadalhin sa opisina, iiwan sa opisina. Hindi ba iyan risky? That's my question. I am not asking if you were consulted or not. And my succeeding question is, why did you not suggest safeguards?

MS. SANCHEZ. Because, Mr. Chair, with regard to security assessment, I...we...the office really defers the assessment of the VPSPG, Mr. Chair. So, if it was their assessment...

REP. GARIN. Sa personal mong pananaw, kung ikaw. Kung ikaw si Gina Acosta at si Mr. Ortonio will be in your place, sa tingin mo ba hindi magiging delikado ang buhay mo sa ganyang sistema?

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MS. SANCHEZ. Mr. Chair, if there are safeguards, Mr. Chair, because there is also risk, Mr. Chair.

REP. GARIN. Please answer it with yes or no. Sa tingin mo ba, hindi magiging delikado ang buhay mo if you were in the shoes of Gina Acosta?

MS. SANCHEZ. Yes, Mr. Chair, of course.

REP. GARIN. So, gagawin mo ba iyon or magsa-suggest ka, magre-recommend ka ng safeguards?

MS. SANCHEZ. I would weigh the risk, Mr. Chair.

REP. GARIN. Okay. So, Mr. Chair, may I now ask, again, Ma'am Julieta, the same question. Ma'am, ikaw po ay nagpipirma din ng tseke papunta kay Ma'am Gina, is it not that you are also a signatory to the check or silang dalawa? Okay. You're a signatory on the disbursement voucher? Okay.

MS. VILLADELREY. Yes, Ma'am.

REP. GARIN. Pero alam ninyo rin po na iyong tseke i-i-encash, tama?

MS. VILLADELREY. After issuance, Ma'am...

REP. GARIN. Okay.

MS. VILLADELREY. ...Chair.

REP. GARIN. Ma'am, you're organic to the OVP?

MS. VILLADELREY. Yes, Ma'am.

REP. GARIN. Matagal ka na po sa OVP? How long, Ma'am?

MS. VILLADELREY. Thiry-four years, Your Honor.

REP. GARIN. Yeah. And you have been an accountant in the OVP?

MS. VILLADELREY. Yes, Your Honor.

REP. GARIN. In your 34 years of experience, Mr. Chair, Ma'am Julieta, was there ever an instance na ang isang Bise Presidente ay nagwi-withdraw ng ganito kalaking pera?

MS. VILLADELREY. This is the first time, Your Honor.

REP. GARIN. Okay. How much was the maximum encashment of a certain official in the OVP?

MS. VILLADELREY. For confidential fund, Your Honor?

REP. GARIN. Any, any, any encashment sa pagkaalala mo?

MS. VILLADELREY. Three million, Your Honor.

REP. GARIN. Three million. So, at least, iyong risk hindi ganoon kalaki.

Mr. Chair, the reason why I am asking this, kasi marami ang nagtatanong, "Bakit ba ito iniimbestiga?" Iniimbestiga ito kasi nakikita ngayon na hindi na alam kung talaga bang napunta sa kaukulang layunin ang pera o hindi.

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Moreover, it is apparent and I mean my apologies, Sir Lemuel and Atty. Sanchez, you might...and even Mr. Fajarda, siguro mayroon kayong mga inyo-inyong talento. But bottom line, Mr. Chair, is that—apologies and I have to see this. The appointing officer of these three officials here possibly appointed them without the qualifications of accountable officers, and that is why, we are in this mess because either they are in fear, takot sila, or they remain to be deaf, mute, and blind to the blatant release and encashment of millions of pesos.

And that is why in aid of legislation, Mr. Chair, there should be stronger accountability of SDOs and there should also be stronger accountability of the other officers.

Lastly, Mr. Chair, Sir Lemuel, every withdrawal, nililipat sa sasakyan mo dahil natatakot si Ma'am Gina Acosta, correct?

MR. ORTONIO. That's correct, Your Honor.

REP. GARIN. Sino ang nagbibitbit ng pera palabas?

MR. ORTONIO. Palabas...

REP. GARIN. Sa bangko papunta sa sasakyan na sinasakyan mo?

MR. ORTONIO. As I can recall, Your Honor, as mentioned earlier, it is through the help po ng...ng bank. But I will try to recall again, Your Honor, and maybe in the next Committee hearing, I can have a better recollection.

REP. GARIN. Kasi, Mr. Chair, kunyari, magwi-withdraw ka ng 500,000, 'no, or 1 million; tapos matanda ka na, bibitbitin mo iyon, eh, medyo frail ang isang senior, hindi talaga tumutulong ang bangkong magbitbit. Kasi pagka nagkaproblema iyan, sila ang sisisihin and that's a bank policy.

Sino pa ang ibang tumulong? Iyong paghakwat papunta sa sasakyan?

MR. ORTONIO. Your Honor, I can recall na mayroon nga iyong parang trolley. And possibly po...

REP. GARIN. Sino nagpu-push ng trolley?

MR. ORTONIO. Again, Your Honor, as I can recall, it's the...from the bank. As to doon sa...

REP. GARIN. Teller? Security guard?

MR. ORTONIO. Definitely not the teller. So, it can be one of the...

REP. GARIN. Utility?

MR. ORTONIO. It can be one of the utility, it can be one of the bank employees.

REP. GARIN. Pero, Mr. Chair, hindi lang kasi ito isang beses, eh. Apat na beses kasi, eh. Puwede bang iyong apat na beses na iyon ay nakalimutan ninyo?

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So, doon sa likod lahat nakalagay ang pera or doon sa harap?

MR. ORTONIO. Likod po, Your Honor.

REP. GARIN. Likod lahat.

MR. ORTONIO. Yes.

REP. GARIN. Gaano kabigat iyong isang bag?

MR. ORTONIO. Hindi ko po siya na-try, Your Honor, na...

REP. GARIN. Na iakwat?

MR. ORTONIO. Oo, na alsahin po, Your Honor.

REP. GARIN. Pero are you aware...are you aware about the accountability of such an action?

MR. ORTONIO. Yes, Your Honor.

REP. GARIN. So, Mr. Chair, may we get the input of the Assistant Chief of Staff. Iyon bang activities na nakasaad doon sa mga papel na nakita mo ay sang-ayon doon sa joint circular?

MR. ORTONIO. Based on the documents that were presented to me when we got the AOMs, yes, Your Honor, because there was...there were several acknowledgement receipts and then there was also a certification coming from the VPSPG that they were able to conduct intelligence and confidential operations.

REP. GARIN. So, ang naging implementor, Mr. Chair, nitong mga confidence-building activities under the Office of the Vice President, are actually the VP—what do you call that?

MR. ORTONIO. VPSPG.

REP. GARIN. VPSPG.

MR. ORTONIO. As to the implementor, Your Honor, I not really sure if it's the VPSPG, but it was signed by Colonel Lachica po who is the group commander of the VPSPG.

REP. GARIN. So, in other words, dahil siya ang group commander at siya ang pumirma, sila ang nag-implement?

MR. ORTONIO. As per my understanding, Your Honor, Colonel Lachica as the security officer has a different set of...parang operatives nila, Your Honor, and that again, Your Honor, I am not very familiar. So, maybe Colonel Lachica would be the best person to provide such information.

REP. GARIN. Are the three vaults still with the office of Ma'am Gina Acosta?...

(MS. RUTH T. PALLES TOOK OVER)

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REP. GARIN. (Continuing)...office of Ma'am Gina Acosta?

MR. ORTONIO. We'll have to check with Ms. Gina po.

REP. GARIN. So, Mr. Chair, siguro ang isang dapat nito is everytime an office is allocated confidence...confidential funds, siguro dapat tingnan iyong kakayanan nung ating mga accountable officers. Kasi dalawa lang po iyan eh, either you will appoint or recommend capable officials or you will appoint or recommend officials who will be good followers but not really real soldiers.

Maraming salamat, Mr. Chair, at sana itong pangyayari na ito ay hindi na ulit mangyari lalong-lalo na sa ibang ahensya.

And by the way, Mr. Chair, I just noticed doon sa kanilang mga acknowledgment, I mean, accomplishment report nakalagay palagi "confidence/intelligence funds." Parang naging *pro forma* kasi wala namang intel funds eh. If you look at the paper, iyong kanilang mga accomplishment report, it says accomplishment report for confidential/intelligence funds, parang *pro forma* na kinuha where, in fact, it should be confidential funds because hindi naman military agency iyong OVP at iyong DEPED.

So, I do hope, Mr. Chair, while I do respect Sir Fajarda, Sir Lemuel Ortonio, Atty. Sanchez, and even Ma'am Gina Acosta, napakabigat ng ganitong pangyayari na ang nagiging kawawa ay mga ordinaryong opisyal ng gobyero dahil alam natin sa ganitong sitwasyon, while even if they feign ignorance on what happened, with position actually comes accountability. So, I actually cannot, you know, swallow the fact na maraming mga government officials and employees ang nadadamay dahil lang hindi nila naintindihan kung ano iyong dapat gawin or hindi naigawa ng maayos ang utos ng ating isang opisyal.

Thank you, Mr. Chair.

REP. A. D. GONZALES. Chairman, may I have a manifestation.

THE CHAIRPERSON. Yes, SDS Dong Gonzales.

REP. A. D. GONZALES. Salamat, Mr. Chairman.

Tamang-tama ni Congressman Janet eh, natumbok niya ulit iyong kay Lachica. So, I would...magbibigay po ako ng manifestation that...I manifest that both OVP and DEPED funds are really controlled by Colonel Lachica. In the end, it's controlled by one, by only one group. So, they have the same confidential programs. Wouldn't a group be confused if the programs were different? The OVP and DEPED have different mandates. So, iyon lang po, Mr. Chairman.

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At isang tanong ko lang po, si Colonel Nolasco is under Colonel Lachica, Mr. Assistant COS?

MR. ORTONIO. Colonel Dennis Nolasco is...used to be the deputy commander po of...

REP. A. D. GONZALES. But he is under Colonel Lachica?

MR. ORTONIO. Under Colonel Lachica po.

REP. A. D. GONZALES. That's all, Mr. Chairman. Salamat.

THE CHAIRPERSON. Thank you.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop, you're recognized.

REP. ACOP. Thank you.

Mr. Ortonio, did I hear you right na just because may mga...kumpleto iyong liquidation report because of the existence of acknowledgment receipts, okay na po? Tama po ba iyong pagkaintindi ko?

MR. ORTONIO. Apart from the acknowledgment receipts, there's also a certification coming from the VPSPG and we were also furnished, Your Honor, with a copy of their accomplishment report. However, we were not able to submit it to...we were not able to submit it to COA, which is the...which was the reason why we were issued an ND po.

REP. ACOP. If the acknowledgment receipts are fake and not properly filled up, would you still consider your answer to the Honorable Garin the same?

MR. ORTONIO. No, Your Honor, if it's not true, Your Honor.

REP. ACOP. The next question is, did you vet the attachments to your liquidation report?

MR. ORTONIO. No, Your Honor. I was only able to see the acknowledgment receipts, Your Honor, when we already prepared the reply to the AOM.

REP. ACOP. Were you not surprised that the acknowledgment receipts presented in today's hearing and in the previous hearings ay hindi po nasa tama?

MR. ORTONIO. I would not say po na hindi...na hindi nasa tama. I think based on the ARs that were submitted, it would be the security officer who would be able to best explain this, Your Honor.

REP. ACOP. I agree that they...they will explain, pero dumadaan po sa inyo eh, and sa tingin niyo po ba ministerial lang iyong trabaho ninyo just because it was prepared by uniformed personnel, lusot na, tama na, correct na?

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MR. ORTONIO. No, Your Honor.

REP. ACOP. But according to you, you did not do anything? You did not vet the documents which were attached to the liquidation reports.

MR. ORTONIO. Based on the...Because of the voluminous amount of documents, Your Honor, we might not have been able to check it properly, Your Honor, but again these are submitted already to the COA po.

REP. ACOP. Yes. Now, may I know what is the status of Colonel Lachica and Colonel Nolasco doon po sa mga opisina ng OVP at saka DEPED?

MR. ORTONIO. Sorry, Your Honor,...

REP. ACOP. Are they...Are they official employees of DEPED or Office of the Vice President?

MR. ORTONIO. No, Your Honor.

REP. ACOP. And you, shall we say, entrusted to them the use and the...a part of the liquidation of the confidential funds to them?

MR. ORTONIO. Yes, Your Honor, because they were designated...for OVP, Your Honor, because Colonel Lachica is designated as the security officer po.

REP. ACOP. So, you think that is appropriate and in order na ipagamit ninyo...ang gagamit po ng pondo, magma-manage lahat ay isang tao na hindi naman po officially nasa office or empleyado ng opisina?

MR. ORTONIO. Yes, Your Honor, but because...

REP. ACOP. Tama po iyon?

MR. ORTONIO. He has a designation po as a security officer.

REP. ACOP. Hindi. Ang tanong ko po, tama po ba iyon sa akala niyo?

MR. ORTONIO. In my understanding, Your Honor, yes. Because, number one, he is designated; and in terms of conducting confidential activities, the safe...the security officer would be the best person to conduct such activities.

REP. ACOP. Thank you, Mr. Chair.

THE CHAIRPERSON. We will...Thank you.

REP. PADUANO. Chairman.

THE CHAIRPERSON. Kung wala na po...Yes, Congressman Paduano.

REP. PADUANO. Ang tanong kasi ni Chairman Acop, ano ito, rejoinder lang ha. Ang tanong kasi ni Chairman Acop, tama ho ba na i-desginate as security officer iyong hindi naman bahagi ng Office of the Vice President and...kasi magkaiba po iyon, 'di ba? Magkaibang agency iyon, 'di ba? So, iyon...iyon iyong isang tanong na...Kaya nga ang

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ano ko, Mr. Chairman, with regards to that question that was raised by Chairman Acop, tama ho ba o hindi, of course, hindi natin pinapanganuhan ang COA, it's up to them. But if a case will be filed, that would be a test...test case designating SO daw, security officers...officer, using confidential fund which is not part of that agency.

Now second is, of course, question on the SDO. This is the first time. Kasi po, normally, nandito naman po iyong COA, alam po ng COA that the authority given to the SDO cannot be delegated because an authority which is delegated to an SDO cannot be delegated, definitely, 'di ba? Ngayon ito, question of confidential fund eh, again, if a case will be filed, this will also be a test case kasi aabot talaga ito sa Supreme Court iyong mga appeals and everything, 'no.

Kaya, Mr. Chairman, iyong sa COA lang po, wala dito iyong COA. Madam COA, saan ba iyong COA. Anyway, nandito iyong isa. Anyway, ano lang po, iyong ano ko lang po, iyong advice ko because it was raised by Congressman Dante and lagi po pagkatapos ni Chair...Congressman Dante, umaalis po agad, but please check...

(MS. RHUPA D. RAMIL TOOK OVER)

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REP. PADUANO. (Continuing)...please check because you were asked by Dante if this is the first time that you were issued a subpoena, and this is not the first time. Oo, si Chairman ano pala, Chairman ng Good Government natin. This is not the first time because, even in my Committee, when in fact, we...we direct COA to conduct a fraud audit in the absence of NDs, in the absence of AOMs. Iyong iba AOMs pa lang. So, hindi po in violative of the mandate of the COA in relation to inquiry in aid of legislation. Ang dami pong cases, 'no, paki-check na lang po para in the next hearing, COA, makapaghanda po kayo, 'no, kapag may mga similar questions that will be raised in your mandate and in your function, 'no, as COA.

Now, lastly, Mr. Chairman, with regard to the admin matters. Just to...Balikan lang po natin iyong issuance of contempt order to the four, 'no?

THE CHAIRPERSON. We have...we have an outstanding contempt...

REP. PADUANO. Yes.

THE CHAIRPERSON. ...and arrest order with respect to Ortonio, Sunshine Fajarda, Gina Acosta and Edward Fajarda.

REP. PADUANO. Yes, Chairman. Can I proceed?

THE CHAIRPERSON. But insofar as Ortonio is concerned, I think the Committee issued two contempt order...contempt and arrest order.

So, what is the pleasure of the Members?

REP. PADUANO. Yes, Mr. Chairman. Iyong kay Ortonio kasi...Ito, you violated Section 11 paragraph (a), iyong first contempt, 'no, sa apat, it's a question...it's paragraph (a) refusal to be summoned without legal excuse. So, you were not present for the previous hearing, so you were cited in contempt, in violation of Section 11 paragraph (a). Now, with regard to Sir Ortonio, he was cited again in contempt to the motion of Congressman Jil Bongalon in violation of Section 11, once again, but paragraph (f), the same as the violation of Atty. Lopez.

Now, Mr. Chairman, since the four, 'no, including Ms. Gina Acosta, voluntarily appear in today's hearing, but still the violation has been committed, 'no. And when in fact, they have not yet served such contempt orders from this Committee because they were not in possession of the OSAA. But, Mr. Chairman, because they voluntarily appear in today's hearing, may I move, Mr. Chairman, to grant Mr. Lemuel Ortonio, Ms. Sunshine Fajarda, Ms. Gina F. Acosta and Mr. Edward Fajarda to be granted a furlough, Mr. Chairman. So moved, Mr. Chairman.

THE CHAIRPERSON. There is a motion to grant.

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REP. GARIN. Second.

THE CHAIRPERSON. Duly seconded.

REP. PADUANO. And, Mr. Chairman, may I ask the ComSec if we have established a quorum because the motion to contempt, 'no, to contempt the four resource persons were issued a contempt by the Members of the Committee present during the previous hearing, unanimously approved, and we just like to establish if there is still a quorum because we cannot lift or grant a furlough without the...

THE CHAIRPERSON. Quorum.

REP. PADUANO. ...a quorum.

THE CHAIRPERSON. ComSec.

REP. PADUANO. Thank you, Mr. Chairman.

THE ACTING COMMITTEE SECRETARY. Your Honor, there were registration of votes and there was a quorum registered at 11:33 p.m. with the Secretariat, Your Honor. The following Members voted for the furlough of the four OVP employees: Chairperson Joel Chua; SDS Dong Gonzales; Vice Chairperson Acop; Deputy Minority Leader Castro; Cong. Ortega V; Representative Zia Alonto Adiong; Cong. Paduano; Vice Chairperson Janette Garin; Congressman Rodge Gutierrez; and, Congressman Barbers, Your Honor. So, we have 10 Members voting unanimously for the furlough, Your Honor.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes. Yes.

REP. PADUANO. And, lastly, Mr. Chairman, just to remind the resource person that was granted furlough in today's hearing...

THE CHAIRPERSON. That this is conditional.

REP. PADUANO. ...with—Yeah—with a commitment that they should be present in the next hearing, 'no, and tentatively that will be Friday, this week, 'no.

So, I hope you have that commitment.

MR. ORTONIO. Your Honor, may I be...Mr. Chair, may I be recognized?

THE CHAIRPERSON. Yes, please, Mr. Ortonio.

MR. ORTONIO. First of all, maybe on behalf of my colleagues, 'no, I would like to extend our gratitude for extending furlough, 'no, in terms of the orders that were issued to us. So, we would like to extend our appreciation, our gratitude to this one, and part of this would be the commitment to be attending the succeeding hearings po. Thank you very much.

THE CHAIRPERSON. Thank you.

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Mayroon pa po bang gustong...

REP. GARIN. Mr. Chair...

THE CHAIRPERSON. Yes, Congresswoman...

REP. GARIN. Quick manifestation, of course, with the indulgence of...

THE CHAIRPERSON. Congresswoman Janette Garin.

REP. GARIN. I saw in the news the statement of Senator Bato, and this was actually related to Atty. Zuleika Lopez when she was...

Can I play his words quickly? Okay lang po ba?

THE CHAIRPERSON. Yes, please.

At this juncture, audio was played from the mobile phone of Rep. Janette L. Garin.

REP. GARIN. Mr. Chair, just to give a very brief summary. He was actually saying, dinala si Ma'am Zuleika sa St. Luke's, minadali daw kaagad na-discharge, hindi man lang daw pinatingnan iyong scoliosis, gustong ma-x-ray, gustong ma-scan, hindi man lang pinagawan ng medical tests, and he was saying bakit ganito? Mayroon bang nagte-terrorize sa St. Luke's? Mayroon bang nag-terrorize sa mga doktor na bakit kailangan kaagad ilabas-labas si Atty. Zuleika Lopez?

For the record, Mr. Chair, hindi naman po ganoon ang mga doktor, and I've had a long history with St. Luke's. Hindi po ganoon ang hospital na iyon. And for the record, Mr. Chair, lahat ng tao, kapag dinadala sa hospital, if it warrants admission, the hospital will really admit. If it warrants emergency attention, the hospital will really give due attention. Most possibly, if the patient does not warrant admission, the patient...the hospital will refuse kasi hindi po hotel iyan, eh.

Second, Mr. Chair, iyong hospital, siyempre, mayroon din doon mga maraming ibang pasyente, and there are several reasons that the hospital does that because, siyempre, matutulog doon si VP, it's a security nightmare.

So, with that, Mr. Chair, I am just putting that in record kasi baka mamaya mayroon pang ibang mga statements si Senator Bato accusing doctors or accusing people of terrorizing doctors and hospitals, then that can lead to a possible discussion in the future. Maraming salamat, Mr. Chair.

THE CHAIRPERSON. Thank you.

Are there any other matters that the Member wish to discuss?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

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REP. ACOP. Since no Member has raised his hand for any issue, may I move that we suspend the hearing for today. Thank you.

THE CHAIRPERSON. Until?

REP. A. D. GONZALES. Second.

REP. ACOP. Until Friday this week.

THE CHAIRPERSON. Okay. Is there any objection? Hearing none, the motion is carried.

The meeting was suspended at 12:53 a.m.

CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

RUTH T. PALLES
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

RHUPA D. RAMIL
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

GIALINA V. CEJES
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

REGILYN B. ENCIO
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

NERIZZA G. ONA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

THELMA M. RETUBA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

Aida P. Molinyawe
AIDA P. MOLINYAWE
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

FLORISA M. PADA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

KRISSA MAE S. SALDEVAR
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

JOY S. JARA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

Note: Please refer to the audio/video recording for the complete statements or testimonies spoken in local dialect/foreign language/Arabic language.

ANNEX "B"

COMMISSION ON AUDIT
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DAVIN E. BAGCAY
Administrative Aide VI

Republic of the Philippines

Office of the Vice President

CERTIFICATION

January 10, 2022

We hereby certify that the amount of **One Hundred Twenty-Five Million (P125,000,000.00)** Pesos was incurred by the undersigned in connection with safe implementation of OVP initiatives and confidence-building from the cash advance drawn on December 20, 2022 in the total amount of **P125,000,000.00**

We further certify that:

a. The certifying officer or employee is accountable for the disbursement from the cash advance of CF and/or IF;
b. The expenses were incurred in connection with the agency's intelligence and/or confidential operations and activities, with supporting documents attached to the liquidation of CF and for the IF, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO;
c. The details and supporting documents of transactions that are classified are in the custody of the agency and kept in its vault which may be inspected by IFCAU if the circumstances so demand;
d. The funds are not used for payment of salaries and wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees, representation/entertainment expenses, consultancy fees, and construction or acquisition of buildings or housing structures;
e. The purchase of equipment is relevant to the confidential and/or intelligence activities; and,
f. The expenditures are necessary and utilized for legal purposes.

GINA F. ACOSTA
Special Disbursing Officer

Attested:

Sara Zimmerman Duterte

SARA Z. DUTERTE
Vice President

JAN 16 2023

SUBCRIBED and sworn to before me this ____________________, Ms. Gina F. Acosta exhibited to me her Natl. ID 5478 4951 5749 9842 and Vice President Sara Z. Duterte exhibited to me her PhilhealthID 16-025268201-2 as their competent proof of their identity.

Doc. No. 386;
Page No. 79;
Book No. IV;
Series of 2023

ATTY. RHOSCEL N. ABELLA
NOTARY PUBLIC FOR CITY OF MANILA
COMMISSION NO. 2023-068 UNTIL DECEMBER 31 202
ROLL NO. [illegible]
IBP LIFETIME NO. [illegible].2015
[illegible] MANILA CITY
PTR NO., 0261[illegible]
MCLE COMPLIANCE NO. VII-0004130
PEDRO GIL STREET STA. ANA, MANILA

ANNEX "C"

Republic of the Philippines

Office of the Vice President

CERTIFICATION

March 30, 2023

We hereby certify that the amount of **One Hundred Twenty-Five Million (P125,000,000.00)** Pesos was incurred by the undersigned in connection with safe implementation of OVP initiatives and confidence-building from the cash advance drawn on February 6, 2023 in the total amount of **P125,000,000.00**

We further certify that:

a. The certifying officer or employee is accountable for the disbursement from the cash advance of CF;
b. The expenses were incurred in connection with the agency's confidential operations and activities, with supporting documents attached to the liquidation of CF, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO;
c. The details and supporting documents of transactions that are classified are in the custody of the agency and kept in its vault which may be inspected by IFCAU if the circumstances so demand;
d. The funds are not used for payment of salaries and wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees, representation/entertainment expenses, consultancy fees, and construction or acquisition of buildings or housing structures;
e. The purchase of equipment is relevant to the confidential activities; and,
f. The expenditures are necessary and utilized for legal purposes.

GINA F. ACOSTA
Special Disbursing Officer

Attested:

Sara Zimmerman Duterte

SARA Z. DUTERTE
Vice President

MAR 31 2023

SUBCRIBED and sworn to before me this ________________, Ms. Gina F. Acosta exhibited to me her ________________ and Vice President Sara Z. Duterte exhibited to me her ________________ as their competent proof of their identity.

Doc. No. 54;
Page No. 10;
Book No. 48;
Series of 2023

ATTY. RHOSCEL N. ABELLA
NOTARY PUBLIC FOR CITY OF MANILA
COMMISSION NO. 2023-068 UNTIL DECEMBER 31 2024
ROLL NO. 45423
IBP LIFETIME NO. 013253/1.06.2015
PTR NO., 0861171/1.03.2023/MANILA CITY
MCLE COMPLIANCE NO. VII-0004130
[illegible] MANILA

COMMISSION ON AUDIT
CERTIFIED TRUE COPY

DAVIN E. BACCAY
Administrative Aide VI

ANNEX "D"

Republic of the Philippines

Office of the Vice President

CERTIFICATION

July 11, 2023

We hereby certify that the amount of **One Hundred Twenty-Five Million (P125,000,000.00)** Pesos was incurred by the undersigned in connection with safe implementation of OVP initiatives and confidence-building from the cash advance drawn on April 25, 2023, in the total amount of **P125,000,000.00**

We further certify that:

a. The certifying officer or employee is accountable for the disbursement from the cash advance of CF;
b. The expenses were incurred in connection with the agency's confidential operations and activities, with supporting documents attached to the liquidation of CF, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO;
c. The details and supporting documents of transactions that are classified are in the custody of the agency and kept in its vault which may be inspected by IFCAU if the circumstances so demand;
d. The funds are not used for payment of salaries and wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees, representation/entertainment expenses, consultancy fees, and construction or acquisition of buildings or housing structures;
e. The purchase of equipment is relevant to the confidential activities; and,
f. The expenditures are necessary and utilized for legal purposes.

GINA F. ACOSTA
Special Disbursing Officer

Attested:

Sara Zimmerman Duterte
SARA Z. DUTERTE
Vice President

JUL 11 2023

SUBCRIBED and sworn to before me this ____________________, Ms. Gina F. Acosta exhibited to me her ______________________ and Vice President Sara Z. Duterte exhibited to me her ______________________ as their competent proof of their identity.

Doc. No. 282
Page No. 58;
Book No. 51;
Series of 2023

ATTY. RHOSCEL N. ABELLA
NOTARY PUBLIC FOR CITY OF MANILA
COMMISSION NO. 2023-068 UNTIL DECEMBER 31 2024
ROLL NO. 49423
IBP LIFETIME NO. 013253/1.06.2015
PTR NO., 0861171/1.03.2023/MANILA CITY
MCLE COMPLIANCE NO. VII-0004130
PEDRO GIL STREET STA. ANA, MANILA

COMMISSION ON AUDIT
CERTIFIED TRUE COPY

DAVIN E. BACCAY
Administrative Aide VI

ANNEX "E"

Republic of the Philippines

Office of the Vice President

CERTIFICATION

October 9, 2023

We hereby certify that the amount of **One Hundred Twenty-Five Million (P125,000,000.00)** Pesos was incurred by the undersigned in connection with safe implementation of OVP initiatives and confidence-building from the cash advance drawn on July 14, 2023, in the total amount of **P125,000,000.00**

We further certify that:

a. The certifying officer or employee is accountable for the disbursement from the cash advance of CF;
b. The expenses were incurred in connection with the agency's confidential operations and activities, with supporting documents attached to the liquidation of CF, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO;
c. The details and supporting documents of transactions that are classified are in the custody of the agency and kept in its vault which may be inspected by IFCAU if the circumstances so demand;
d. The funds are not used for payment of salaries and wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees, representation/entertainment expenses, consultancy fees, and construction or acquisition of buildings or housing structures;
e. The purchase of equipment is relevant to the confidential activities; and,
f. The expenditures are necessary and utilized for legal purposes.

GINA F. ACOSTA
Special Disbursing Officer

Attested:

SARA Z. DUTERTE
Vice President

SUBCRIBED and sworn to before me this OCT 09 2023, Ms. Gina F. Acosta exhibited to me her ______________ and Vice President Sara Z. Duterte exhibited to me her ______________ as their competent proof of their identity.

ATTY. RHOSCEL N. ABELLA
NOTARY PUBLIC FOR CITY OF MANILA
COMMISSION NO. 2023-068 UNTIL DECEMBER 31 2024
ROLL NO. 49423
IBP LIFETIME NO. 013253/1.06.2015
PTR NO., 0861171/1.03.2023/MANILA CITY
MCLE COMPLIANCE NO. VII-0004130
PEDRO GIL STREET STA. ANA, MANILA

Doc. No. 91;
Page No. 20;
Book No. 56;
Series of 2023

COMMISSION ON AUDIT
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DAVIN E. BACCAY
Administrative Aide VI

ANNEX "F"

Republic of the Philippines
Department of Education
OFFICE OF THE SECRETARY

COMMISSION ON AUDIT
CERTIFIED TRUE COPY
DAVIN E. BACCAY
Administrative Aide VI

CERTIFICATION

March 31, 2023

We hereby certify that the amount of **Thirty-Seven Million Five Hundred Thousand (P37,500,000.00)** Pesos was incurred by the undersigned in connection with the safe implementation of initiatives by the Department of Education in countering threats to the environment, safety, and security of its learners and personnel from the cash advance drawn on February 20, 2023 in the total amount of **P37,500,000.00**.

We further certify that:

a. The certifying officer or employee is accountable for the disbursement from the cash advance of CF;
b. The expenses were incurred in connection with the agency's confidential operations and activities, with supporting documents attached to the liquidation of CF, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO;
c. The details and supporting documents of transactions that are classified are in the custody of the agency and kept in its vault which may be inspected by IFCAU if the circumstances so demand;
d. The funds are not used for payment of salaries and wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees, representation/entertainment expenses, consultancy fees, and construction or acquisition of buildings or housing structures;
e. The purchase of equipment is relevant to the confidential activities; and,
f. The expenditures are necessary and utilized for legal purposes.

EDWARD D. FAJARDA
Special Disbursing Officer

Attested:

SARA Z. DUTERTE
Vice President of the Republic of the Philippines
Secretary of the Department of Education

SUBSCRIBED and sworn to before me this APR 04 2023, Mr. Edward D. Fajarda exhibited to me his LTO Driver's License No. - D09 010 86140 and Vice President and Education Secretary Sara Z. Duterte exhibited to me her IBP ID as their competent proof of their identity.

ATTY. R[illegible] N. ABELLA
NOTARY PUBLIC FOR CITY OF MANILA
COMMISSION NO. 2023-068 UNTIL DECEMBER 31 2024
ROLL NO. 49423
IBP LIFETIME NO. 013253/1.06.2015
PTR NO. [illegible]171/1.03.2023/MANILA CITY
MCLE COMPLIANCE NO. VII-0004130
PEDRO GIL STREET STA. ANA, MANILA

Doc. No. 135
Page No. 108
Book No. 48;
Series of 2023

ANNEX "G"

COMMISSION ON AUDIT
CERTIFIED TRUE COPY

DAVIN E. BACCAY
Administrative Aide VI

Republic of the Philippines
Department of Education
OFFICE OF THE SECRETARY

CERTIFICATION

June 30, 2023

We hereby certify that the amount of **Thirty-Seven Million Five Hundred Thousand (P37,500,000.00)** Pesos was incurred by the undersigned in connection with the safe implementation of initiatives by the Department of Education in countering threats to the environment, safety, and security of its learners and personnel from the cash advance drawn on April 19, 2023 in the total amount of **P37,500,000.00.**

We further certify that:

a. The certifying officer or employee is accountable for the disbursement from the cash advance of CF;
b. The expenses were incurred in connection with the agency's confidential operations and activities, with supporting documents attached to the liquidation of CF, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO;
c. The details and supporting documents of transactions that are classified are in the custody of the agency and kept in its vault which may be inspected by IFCAU if the circumstances so demand;
d. The funds are not used for payment of salaries and wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees, representation/entertainment expenses, consultancy fees, and construction or acquisition of buildings or housing structures;
e. The purchase of equipment is relevant to the confidential activities; and,
f. The expenditures are necessary and utilized for legal purposes.

EDWARD D. FAJARDA
Special Disbursing Officer

Attested:

SARA Z. DUTERTE
Vice President of the Republic of the Philippines
Secretary of the Department of Education

SUBSCRIBED and sworn to before me this JUL 0 3 2023, Mr. Edward D. Fajarda exhibited to me his **SSS UMID ID No. 0004-3303646-3** and Vice President and Education Secretary Sara Z. Duterte exhibited to me her **Passport No. P5367892B** as their competent proof of their identity.

ATTY. RHOSCEL N. ABELLA
NOTARY PUBLIC FOR CITY OF MANILA
COMMISSION NO. 2023-06[illegible] UNTIL DECEMBER 31 2024
ROLL NO. 494[illegible]
IBP LIFETIME NO. 013253/1.06.2015
PTR NO., 0861171/1.03.2023/MANILA CITY
MCLE COMPLIANCE NO. VII-0004130
DRO GIL STREET STA. ANA, MANILA

Doc. No. 98;
Page No. 21;
Book No. 51;
Series of 2023

ANNEX "H"

Republic of the Philippines
Department of Education
OFFICE OF THE SECRETARY

CERTIFICATION

October 2, 2023

We hereby certify that the amount of **Thirty-Seven Million Five Hundred Thousand (P37,500,000.00)** Pesos was incurred by the undersigned in connection with the safe implementation of initiatives by the Department of Education in countering threats to the environment, safety, and security of its learners and personnel from the cash advance drawn on July 11, 2023 in the total amount of **P37,500,000.00**.

We further certify that:

a. The certifying officer or employee is accountable for the disbursement from the cash advance of CF;
b. The expenses were incurred in connection with the agency's confidential operations and activities, with supporting documents attached to the liquidation of CF, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO;
c. The details and supporting documents of transactions that are classified are in the custody of the agency and kept in its vault which may be inspected by ICFAU if the circumstances so demand;
d. The funds are not used for payment of salaries and wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees, representation/entertainment expenses, consultancy fees, and construction or acquisition of buildings or housing structures;
e. The purchase of equipment is relevant to the confidential activities; and,
f. The expenditures are necessary and utilized for legal purposes.

EDWARD D. FAJARDA
Special Disbursing Officer

Attested:

SARA Z. DUTERTE
Vice President of the Republic of the Philippines
Secretary of the Department of Education

SUBSCRIBED and sworn to before me this OCT 04 2023, Mr. Edward D. Fajarda exhibited to me his **SSS UMID ID No. 0004-3303646-3** and Vice President and Education Secretary Sara Z. Duterte exhibited to me her **Passport No. P5367892B** as their competent proof of their identity.

Doc. No. 4;
Page No. 2;
Book No. 56;
Series of 2023

ATTY. RHOSCEL N. ABELLA
NOTARY PUBLIC FOR CITY OF MANILA
COMMISSION NO. [illegible] UNTIL DECEMBER 31 2024
ROLL NO. 49423
IBP LIFETIME NO. 013253/1.06.2015
PTR NO. 0301171/1.03.2023/MANILA CITY
MCLE COMPLIANCE NO. VII-0004330
PEDRO GIL STREET STA. ANA, MANILA

COMMISSION ON AUDIT
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DAVIN E. BACCAY
Administrative Aide VI

ANNEX "I"

REPUBLIC OF THE PHILIPPINES
COMMISSION ON AUDIT
Commonwealth Avenue, Quezon City

OFFICE OF THE CHAIRPERSON
INTELLIGENCE AND CONFIDENTIAL FUNDS AUDIT OFFICE

ND No.: 2026-001 - 100 (2023)
MAR 31 2026

NOTICE OF DISALLOWANCE

Honorable SARA Z. DUTERTE
Vice President of the Philippines
Office of the Vice President (OVP)

Attention: **Ms. GINA F. ACOSTA**
Special Disbursing Officer (SDO)

Ms. JULIETA L. VILLADELREY
Chief Accountant

We have audited the submitted liquidation reports (LRs) and its supporting documents for the cash advances of confidential fund (CF) of the OVP for the period February 6 to September 30 of Calendar Year (CY) 2023 as detailed below.

ICFAO LR Reference Nos.	Cash Advances				Liquidations		
	Period	Check No.	Check Date	Amount (₱)	LR No.	LR Date	Amount (₱)
N-2023-04-0116	Feb. 06 to Mar. 29, 2023	244053	01/31/23	125,000,000.00	2023-03-21	03/29/23	125,000,000.00
N-2023-07-0974	Apr. 25 to June 30, 2023	245511	04/18/23	125,000,000.00	2023-07-133	07/11/23	125,000,000.00
N-2023-10-1882	July 14 to Sept. 30, 2023	245664	07/13/23	125,000,000.00	2023-10-216	10/23/23	125,000,000.00
	Total			**375,000,000.00**	**Total**		**375,000,000.00**

Based on the results of our evaluation, with due consideration to subsequent information given under oath during the hearings of the Committee on Good Government and Public Accountability of the House of Representatives, the amount of ₱375,000,000.00 is hereby disallowed in audit.

Liquidations			Results of the Audit		
LR No.	LR Date	Amount (₱)	Allowed (₱)	Disallowed (₱)	Total (₱)
2023-03-21	03/29/23	125,000,000.00	0.00	125,000,000.00	125,000,000.00
2023-07-133	07/11/23	125,000,000.00	0.00	125,000,000.00	125,000,000.00
2023-10-216	10/23/23	125,000,000.00	0.00	125,000,000.00	125,000,000.00
Total		**375,000,000.00**	**0.00**	**375,000,000.00**	**375,000,000.00**

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The directive given by the Hon. Vice-President Sara Z. Duterte to Ms. Gina F. Acosta to release/give the cash advances for confidential expenses to Col. Raymund Dante P. Lachica, the Head of the Vice-President Security and Protection Group (VPSPG), is contrary to Item 6.1.1 of COA-DBM-DILG-GCG-DND Joint Circular No. 2015-01[1] (*Joint Circular*) dated January 8, 2015 which provides that:

> *x x x*
>
> *6.1.1* ***Cash advances shall*** *be used for specific legal purpose related to CF and/or IF.* ***Under no circumstance*** *shall it be used for liquidation of the previous cash advance or* ***be transferred from one accountable to another****.* (Emphasis supplied)
>
> *x x x*

Further and notwithstanding the above matter, evaluation of the submitted compliance documents to justify the deficiencies noted under Audit Observation Memorandum (AOM) No. 2024-014 and AOM No. 2024-170 dated February 1, 2024 and August 8, 2024, respectively, pointed that confidential expenses amounting to ₱261,300,000.00 are disallowed in audit for the following reasons:

1. The payments of rewards amounting to ₱62,000,000.00 as shown in Table 1, did not comply with the requirements of Item 4.8.5 of the Joint Circular, particularly the submission of supporting documents evidencing the success of the information gathering and/or surveillance activities on account of the information given (Item 4.8.5.b).

Table 1 – Payments of Rewards

Period Covered	Amount (₱)
February 6 to March 30, 2023	15,000,000.00
April 25 to June 30, 2023	12,000,000.00
July 14 to September 30, 2023	35,000,000.00
Total	**62,000,000.00**

The Certifications dated April 4, 2024 and September 30, 2023 issued by the VPSPG stated that the confidential activities such as surveillance and information gathering conducted in 127, 111, and 122 areas during the 1st, 2nd and 3rd quarters of CY 2023, respectively, prevented untoward incidents from transpiring during the engagements of the Vice-President in the implementation of the programs of the OVP, including the establishment of the three (3) new Satellite Offices in Isabela, Cagayan Valley, Bicol and BARMM, and the implementation of the OVP Libreng Sakay Program, as reported in the attached Protective Intelligence Operations (PIO) in support to the Protective Security Operations intended for the security and safety of the VP and the implementation of the programs of the OVP from January 01 to September 30, 2023.

However, these Certifications and PIO reports did not specify the particular accomplishments demonstrating the success of the information gathering and/or surveillance activities directly related to the confidential operations undertaken as

---

[1] Titled, "Guidelines on the Entitlement, Release, Use, Reporting and Audit of Confidential and/or Intelligence Funds"

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Administrative Aide VI

required by Item 4.8.5.b of the Joint Circular that necessitated the payments of rewards.

2. The purchases of supplies and provisions of medical/food aid totaling ₱199,000,000.00, presented in Table 2 were supported only by acknowledgement receipts.

Table 2 – Purchases of Supplies and Provisions of Medical Food Aid

Programs/Projects/ Activities	Feb. 6 to Mar. 30, 2023	Apr. 25 to June 30, 2023	July 14 to Sept. 30, 2023	Total
Purchases of Supplies	₱32,000,000.00	₱35,000,000.00	₱50,000,000.00	₱117,000,000.00
Provisions of Medical and Food Aid	42,000,000.00	40,000,000.00	-	82,000,000.00
Total	**₱74,000,000.00**	**₱75,000,000.00**	**₱50,000,000.00**	**₱199,000,000.00**

Although the Joint Circular does not prescribe specificity to the documentary evidence of payments to be submitted to substantiate the disbursements made from the CF, this Office, pursuant to Item 6.2.3.7 of the Joint Circular, may require other supporting documents that we deem necessary for the proper evaluation of liquidation documents submitted. To ascertain the validity of such purchases of supplies and provision of medical and food aid, we deem it necessary that they be substantiated with appropriate documents such as official receipts or sales invoices. Though this Office recognizes that by the very nature of the CF where identities of those involved, i.e. the informants, for whom supplies were used, owners of safehouses, or owners of rented vehicles used for confidential activities, and the very details of the confidential activities are to be reasonably safeguarded, other details which can be disclosed evidencing validity should be submitted to warrant reasonable and adequate substantiation of the claimed confidential expenses in relation to Item 4.12 of the Joint Circular.

3. Disbursements dated May 18, 2023 and July 6, 2023, amounting to ₱150,000.00 each for the *Purchase of Information*, were made prior to the grant of the cash advance on July 13, 2023. These payments indicated that the cash advance was utilized for reimbursement purposes, which is contrary to Item 6.1.2 of the Joint Circular. The said provision provides that in no case shall a cash advance for CF be utilized as reimbursement of expenses prior to the granting of cash advance.

With this, the persons named below have been determined to be responsible/liable for the amount disallowed in this Notice of Disallowance.

Name	Position/Designation	Nature of participation in the transaction
Hon. Sara Z. Duterte	Vice President	Approved the transactions including the utilization of the cash advances
Ms. Gina F. Acosta	SDO	Acted as the SDO and payee of the cash advances and responsible for the disbursements of the confidential fund
Ms. Julieta L. Villadelrey	Chief Accountant	Certified that the supporting documents were complete and proper
Col. Raymund Dante P. Lachica	Head of VPSPG	Received the cash advances for confidential expenses despite being not the SDO

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Administrative Aide VI

Please direct the aforementioned persons responsible/liable to settle immediately the said disallowance. Audit disallowance not appealed within six (6) months or 180 days from receipt hereof shall become final and executory as prescribed under Sections 48 and 51 of Presidential Decree No. 1445.

gacamora
GLORIA A. CAMORA
State Auditor V
Officer-in-Charge

Proof of Service of Copies of the ND to the Person(s) Responsible/Liable:

Name/Position/Designation	Signature	Date Received
Hon. Sara Z. Duterte Vice-President	Lemuel G. Ortonio	04/08/26
Ms. Gina F. Acosta SDO, OVP		04-8-26
Ms. Julieta L. Villadelrey Chief Accountant, OVP		APR 13 2026
Col. Raymund Dante P. Lachica Head, VPSPG		

cc: **COA Audit Team Leader**
OVP

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DAVIN E. BACCAY
Administrative Aide VI

ANNEX "J"

Republic of the Philippines
COMMISSION ON AUDIT
Commonwealth Avenue, Quezon City, Philippines

DECISION NO. 2026-171
APR 10 2026

Subject: Petition for Review, treated as appeal, of Ms. Sara Z. Duterte, Vice President; Ms. Gina Acosta, Special Disbursing Officer; and Ms. Julieta L. Villadelrey, Chief Accountant; all of the Office of the Vice President (OVP), of Commission on Audit Intelligence and Confidential Funds Audit Office Notice of Disallowance No. 2024-002-100 (2022) dated August 8, 2024, on the confidential expenses of the OVP, for the period from December 21 to 31, 2022, in the amount of P73,287,000.00

COMMISSION ON AUDIT
INTELLIGENCE & CONFIDENTIAL FUND AUDIT OFFICE (ICFAO)
Received by: JM
Date: APR 13 2026 Time: 3:36 pm

COMMISSION ON AUDIT
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DAVIN E. BACCAY
Administrative Aide VI

DECISION

FACTS OF THE CASE

Before this Commission is the Petition for Review, treated as appeal,[1] of Ms. Sara Z. Duterte, Vice President (VP); Ms. Gina Acosta, Special Disbursing Officer (SDO); and Ms. Julieta L. Villadelrey, Chief Accountant; Office of the Vice President (OVP), of Commission on Audit (COA) Intelligence and Confidential Funds Audit Office (ICFAO) Notice of Disallowance (ND) No. 2024-002-100 (2022) dated August 8, 2024, on the confidential expenses (CEs) of the OVP, for the period from December 21 to 31, 2022, in the amount of P73,287,000.00.

Appellants Duterte and Acosta received the ND on August 9, 2024,[2] while appellant Villadelrey received the same on August 12, 2024.[3] They filed this Petition for Review on February 5, 2025,[4] or 179 and 176 days, respectively, from receipt of the ND. Hence, the petition for review was filed within the six-month or 180-day reglementary period prescribed under the rules[5] of this Commission.

---

[1] Pursuant to Commission on Audit (COA) Resolution No. 2015-015, April 13, 2015.

[2] As shown in the Proof of Service of Copies of Notice of Disallowance (ND) to Person/s Responsible, *rollo*, p. 70.

[3] *Ibid*.

[4] As indicated in COA Official Receipt No. 7304991 dated February 5, 2025, evidencing payment of filing fee, *rollo*, p. 108.

In a letter[6] dated August 22, 2022 to the Department of Budget and Management (DBM), VP Duterte requested additional funds to ensure continuous operations of the OVP for Fiscal Year (FY) 2022, as follows:

a) Release of funds in the total amount of P403,460,000.00 for the following purposes:

Particulars	Amount
Personnel Services (PS): Special Duty Allowance for the Vice-Presidential Security and Protection Group (VPSPG)	P 8,740,000.00
Sub-total, PS	**8,740,000.00**
Maintenance and Other Operating Expenses (MOOE): Financial Assistance/Subsidy	144,720,000.00
Confidential Fund (CF)	250,000,000.00
Sub-total, MOOE	**394,720,000.00**
Grand Total (PS+MOOE)	**P403,460,000.00**

b) Creation of additional 192 coterminous and contractual positions with annual budgetary requirement of P107,460,000.00.

In its reply,[7] the DBM requested the submission of supporting documents to which the OVP complied,[8] to wit:

a) Financial Accountability Report as of August 31, 2022;
b) Copy of the submitted computation in forecasting the requirement for medical assistance; and
c) Physical and Financial Plan (PFP), as prescribed under COA-DBM-Department of the Interior and Local Government (DILG)-Governance Commission for Government-Owned or Controlled

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Administrative Aide VI

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[5] Section 18.1 of the 2009 Rules and Regulations on the Settlement of Accounts provides, [A] person aggrieved by a disallowance/charge of the Auditor may file an Appeal Memorandum to the Director who exercises supervision over the audited agency, or in case of a disallowance/charge resulting from a special audit, to the Director of the Cluster/Office that conducted the special audit, within six (6) months from receipt of the ND or Notice of Charge.

[6] *Rollo*, pp. 68-69.

[7] Letter dated September 15, 2022, of the Department of Budget and Management (DBM) to the Office of the Vice President (OVP), *rollo*, pp. 66-67.

[8] Letter dated September 19, 2022, of the OVP to the DBM, *rollo*, p. 65.

Corporations (GOCCs) (GCG)-Department of National Defense (DND) Joint Circular (JC) No. 2015-01.[9]

In a Memorandum[10] dated November 28, 2022, the Executive Secretary, Office of the President (OP), informed the OVP and the DBM of the approval of the request to release the funds in the amount of P221,424,000.00, to cover the following MOOE items: a) Financial Assistance/Subsidy – P96,424,000.00, and b) CF – P125,000,000.00, chargeable against the Contingent Fund under the General Appropriations Act (GAA) for FY 2022 or Republic Act (RA) No. 11639, subject to the availability of funds; the provision of Section 83 of the General Provisions of RA No. 11639 (FY 2022 GAA); COA-DBM-DILG-GCG-DND JC No. 2015-01; and other pertinent budgetary, accounting and auditing laws, rules and regulations.

Thereafter, the DBM issued Special Allotment Release Order (SARO) No. SARO-BMB[11]-C-22-0012004[12] dated December 13, 2022, in the amount of P221,424,000.00, to cover the Financial Assistance/Subsidy and CF per OP approval dated November 28, 2022. The SARO notes that the allotment released shall be valid for obligation until December 31, 2023.

On January 10, 2023, the OVP submitted to the ICFAO the Liquidation Report (LR) and its supporting documents for liquidation of the cash advance of Appellant Acosta as the SDO, for CEs of the OVP for the period from December 21 to 31, 2022. The cash advance was granted under Land Bank of the Philippines Check No. 244027 dated December 20, 2022, in the amount of P125,000,000.00.[13]

Upon audit of the LR and its supporting documents, the ICFAO issued Audit Observation Memorandum (AOM) Nos. 2023-211[14] dated September 14, 2023, and 2023-213[15] dated October 3, 2023, noting that the propriety and validity of the transactions could not be ascertained as the submitted supporting documents were not complete and proper, as required under COA-DBM-DILG-GCG-DND JC No. 2015-01. ICFAO recommended that the OVP submit the required supporting documents and the necessary justifications/clarifications on the deficiencies noted. Further, it required the OVP to strictly comply with the requirements of the JC in its succeeding transactions pertaining to CFs.

---

[9] Guidelines on the Entitlement, Release, Use, Reporting, and Audit of Confidential and/or Intelligence Funds.

[10] *Rollo*, p. 60.

[11] Budget and Management Bureau.

[12] *Rollo*, pp. 58-59.

[13] As alleged in paragraph 1 of the Answer to the Petition for Review, *rollo*, pp. 127-128.

[14] *Rollo*, pp. 55-57.

[15] *Rollo*, pp. 52-54.

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In response to the AOMs, the OVP submitted letters on October 19, 2023,[16] and on December 4, 2023,[17] to further explain the propriety, validity, and regularity of the transactions related to the said cash advance on CF.

On December 13, 2023, the ICFAO issued Notice of Suspension (NS) No. 2023-001,[18] in the amount of P125,000,000.00, due to the following deficiencies:

1) On the required documentary evidence of payments (DEPs), the Management submitted Acknowledgment Receipts for payments of rewards in the form of cash, various goods, and medicines in the total amount of P69,787,000.00, broken down as follows:

Particulars	Amount
Payment of rewards (cash)	P10,000,000.00
Payment of rewards (various goods)	34,857,000.00
Payment of rewards (medicines)	24,930,000.00
Total	**P69,787,000.00**

   Items 4.8.5 (b) and (c) of JC No. 2015-01 provide that payment of rewards to informers must be supported with documents evidencing the success of the information gathering and/or surveillance activities on account of the information given by the informer, and must be directly related to the conduct of the specific confidential activities of authorized agencies. It can be inferred from the said provisions of the JC that the payment of rewards is permissible provided that it is substantiated with evidence that the agency successfully achieved its information gathering and/or surveillance activities in view of the information provided by the informers, and that the same is directly related to confidential activity undertaken.

   The submitted Certification dated October 17, 2023 of the VPSPG stated that there were no untoward incidents in the implementation of the OVP programs, projects, and activities, as well as in the engagements of the VP. It further certifies that intelligence efforts and necessary documents were made and filed, based on the conducted Protective Intelligence Operation in support of VP Duterte's engagements from December 20 to 31, 2022. However, said Certification did not indicate the particular accomplishments for the successful information gathering and/or surveillance activities that are directly related to the specific confidential activities undertaken by the OVP, and which warrant the payment of the rewards; thus, non-compliant with the requirements of Items 4.8.5 (b) and (c) of the JC;

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[16] *Rollo*, pp. 49-51.
[17] *Rollo*, pp. 46-48.
[18] *Rollo*, pp. 41-45.

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2) The DEPs likewise showed that the OVP incurred the following expenses supported with Acknowledgment Receipts:

Particulars	Amount
Payment of rewards (various goods)	P34,857,000.00
Payment of rewards (medicines)	24,930,000.00
Payment of purchased supplies	11,813,000.00
Payment of purchased tables and chairs	500,000.00
Payment of purchased desktop computers and printers	**P 3,000,000.00**

Since the aforementioned expenses pertain to the purchase of goods, the same should be supported with either sales invoices or official receipts as evidence of the payments thereof to the establishments/stores.

Likewise, the payments for the purchased tables, chairs, desktop computers and printers were among the expenses charged to the CF cash advance without specifying that they were intended for the confidential operations/activities undertaken by the OVP. Thus, the Management is required to provide the necessary information/data to address these observations;

3) It is also observed that some of the Acknowledgment Receipts were dated December 2023, and some were undated;

4) The Accomplishment Report presents the actual utilization of CF which must be supported by DEPs. As such, the CEs per DEPs must reconcile with the information contained in the Accomplishment Report.

Based on the DEPs, the following expenses were incurred:

a. Purchase of information;
b. Payment of rewards (cash);
c. Payment of rental of safe house;
d. Payment of rewards (various goods);
e. Payment of purchased supplies;
f. Payment of purchased tables and chairs;
g. Payment of purchased desktop computers and printers;
h. Payment of rewards (medicines); and
i. Payment of van rentals/trucking services.

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On the other hand, the Accomplishment Report showed that the cash advance was utilized for the following expenses:

a. Purchase of information;
b. Payment of rewards;
c. Rental and other incidental expenses relative to the maintenance of safe houses;
d. Purchase of purchased supplies;
e. Provision of medical and food aid; and
f. Payment of incentives or traveling relative to confidential operations

The above listings showed that some expenses evidenced by the DEPs were not found in the Accomplishment Report. In the same manner, some expenses, which were presented in the Accomplishment Report, were not supported by DEPs. As such, the submitted DEPs did not reconcile with the Accomplishment Report.

Thus, the Management is required to submit explanations on the noted discrepancies between the Accomplishment Report and the DEPs;

5) There is a discrepancy in the total amount of expenses based on the submitted Accomplishment Report as against the DEPs.

An examination of the Accomplishment Report showed that the CF was utilized for expenses amounting to P125,000,000.00, which is equal to the cash advance made. However, the total amount of expenses actually incurred based on the DEPs was P125,150,000.00, resulting in a variance of P150,000.00. Thus, based on the DEPs, the OVP incurred expenses in excess of the amount of the cash advance made;

6) On the observation that the expenses presented in the revised Accomplishment Report include payment for "provision of medical and food aid" and "payment of incentives or traveling relative to confidential operations" amounting to P40,000,000.00 and P10,000,000.00, respectively, which were not among those allowable CEs enumerated under Item 4.8 of the JC, the Management averred that the "provision of medical and food aid" falls under Item 4.8.4 allowing the use of CF for the purchase or rental supplies, that "payment of incentives or rewards" belongs to Item 4.8.5 and that "traveling expenses" falls under Item 4.8.2 of the JC which cover rental of transport vehicle related to confidential activities. On its supplemental comment, the Management explained that the "provision for medical and food aid" was given to individuals tasked by the OVP to conduct surveillance operations in the gathering of information nationwide that were vital to the formulation and implementation of the programs, projects, and activities of the OVP. Moreover, the amount was intended for the purchase of their

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medicines and food supplies and acknowledged by the recipients. As regards the "payment of incentives or traveling relative to confidential operations," the Management further explained that these disbursements were attributable to transportation expenses incurred in the conduct of confidential activities.

However, the Management failed to establish that the "provision of medical and food aid" in the Accomplishment Report pertains to the purchase of supplies as the description of expenses in the submitted DEPs indicated "payment of rewards (medicines)", which is not consistent with the nature of purchase or rental of supplies, materials, and equipment for confidential operations under Item 4.8.4 of the JC. Likewise, if the "provision of medical and food aid" was intended as purchase of supplies, it could not have been made as a separate line item of expense in the Accomplishment Report, as there is already a line item for payment of purchased supplies.

Moreover, as to the "payment of incentives or traveling relative to confidential operations," the whole amount of P10,000,000.00 was used for payment of van rentals and trucking services and none was paid for incentives as validated in the DEPs. Also, it could not be determined whether the van rentals and trucking services were used for confidential operations undertaken by the OVP based on the submitted DEPs alone. Lastly, if these disbursements were attributable to transportation expenses incurred in the conduct of confidential activities, the DEPs should have indicated "rental of transport vehicle related to confidential activities" as provided under Item 4.8.2 of the JC, instead of "payment of incentives or traveling relative to confidential operations."

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In view of the foregoing, the utilization of the CF was not compliant with the requirements of the JC; and

7) As to the required proof of submission of the Revised Accomplishment Report to the President of the Philippines, the Senate President, and the Speaker of the House of Representatives, the same remained unsubmitted.

The OVP failed to comply with all of the requirements under the NS; thus, the ICFAO issued ND No. 2024-002-100 (2022)[19] dated August 8, 2024, in the amount of P73,287,000.00, on the following grounds:

1) Non-submission of documents evidencing the success of information gathering and/or surveillance activities to support the payments of

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[19] *Rollo*, pp. 70-72.

rewards in the form of cash, various goods, and medicines, in the total amount of P69,787,000.00, broken down as follows:

Particulars	Amount
Payment of rewards (cash)	P 10,000,000.00
Payment of rewards (various goods) [20]	34,857,000.00
Payment of rewards (medicines) [21]	24,930,000.00
Total	**P69,787,000.00**

The submitted list of 105 activities attended by the VP and those conducted by all the OVP offices during the period from December 13 to 31, 2022, did not indicate the particular accomplishments for the successful information gathering and/or surveillance activities that were directly related to the specific confidential activities undertaken, and which warranted the payments of rewards; thus, non-compliant with Item 4.8.5.b of JC No. 2015-01. Consequently, it cannot be verified if the payments of rewards were substantiated by the success of the OVP in its information gathering and/or surveillance activities, in view of the information provided by its informers.

The Management's response that the payment of rewards (various goods) and payment of rewards (medicines) are not "rewards" under Item 4.8.5 of the JC, but are "supplies" under Item 4.8.4, cannot be given due course. Item 4.8 of the JC enumerates the specific CEs allowed to be charged against the CF. Rewards and purchase of supplies are among those enumerated therein, but the two expenses are separate and distinct from each other.

If the expenses were intended as purchase of supplies, the same should have been reflected in the acknowledgment receipt, considering that the Management submitted acknowledgment receipts reflecting payments for purchased supplies. In addition, there are no documents to further support their arguments that the expenses are not rewards;

2) Charging payments for tables, chairs, desktop computers, and printers in the total amount of P3,500,000.00 to CF without specifying that they were intended for the confidential operations/activities undertaken by the OVP; thus, non-compliant with the requirement of Item 4.8.4 of the JC; and

3) Non-submission of the Revised Accomplishment Report to the President of the Philippines, the Senate President, and the Speaker of the House of Representatives, as required under Item 5.2.1.1 of the JC.

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[20] Breakdown of "payment of rewards (various goods)," *rollo*, pp. 17-20.

[21] Reconciliation of Confidential Expenses for the 4th Quarter of CY 2022, *rollo*, p. 21.

The following persons were named liable under the ND:

Name	Position/Designation	Nature of Participation
Ms. Sara Z. Duterte	VP	Approved the transaction, including the utilization of the cash advance
Ms. Gina F. Acosta	SDO	Acted as the payee/SDO and disbursed the cash advance
Ms. Julieta L. Villadelrey	Chief Accountant	Certified that the supporting documents were complete and proper (Box C of the LR)

Appellants Duterte, Acosta, and Villadelrey filed a Petition for Review[22] dated February 3, 2025, treated as appeal, raising the following grounds/arguments:

1) Their right to due process was violated, as the ND contains findings which were not previously raised in the AOMs;

2) The amount of P69,787,000.00 was improperly disallowed in audit, as these were given to informers as rewards for the confidential information they provided during the conduct of surveillance and monitoring activities of the OVP, which were 100% implemented resulting in zero occurrence of any untoward security-related incident;

3) The amount of P3,500,000.00 was improperly disallowed in audit, as the tables, chairs, desktop computers, and printers were used in the safehouses necessary for the OVP's surveillance operations and which also served as offices for its operatives;

4) They complied with Item No. 5.2.1.1 regarding submission of the relevant report to the President of the Philippines, Senate President, and the Speaker of the House of Representatives; and

5) They are not personally liable for the amounts subject of the ND.

In the Answer to the Petition for Review[23] dated March 13, 2025, the ICFAO contended that:

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[22] *Rollo*, pp. 77-104.

[23] *Rollo*, pp. 114-128.

1) The petitioner's right to due process was not violated when the amount of P3,500,000.00 was disallowed in audit despite not previously raised in the AOMs.

   No provision in the Rules and Regulations on Settlement of Accounts (RRSA) or the Revised Rules of Procedure of the COA (RRPC) requires that an AOM must first be issued before government expenditures can be suspended and/or disallowed in audit. An ND may be issued without prior issuance of an AOM and/or NS. The issuance of an AOM, NS, and/or ND may exhibit a relation of progression. However, the issuance of an AOM is not a prerequisite before government expenditures can be suspended and/or disallowed in audit. Thus, their right to due process was never violated;

2) The amount of P69,787,000.00 was properly disallowed in audit, on the ground of non-submission of documents evidencing the success of information gathering and/or surveillance activities to support the acknowledgment receipt.

   The moment the OVP categorized and reported the amount of P69,787,000.00 as expenditures for payment of rewards in the form of cash, various goods, or medicines, it is responsible to fully substantiate and support such expenditures as required in Item 4.8.5 of the JC. The OVP did not fully substantiate and support such expenditures; thus, an ND was properly issued for the irregular expenditure in the amount of P69,787,000.00.

   The OVP's categorization of incurred CEs in the submitted Revised Accomplishment Report followed the enumeration in Item II.3 of DILG Memorandum Circular (MC) No. 99-65[24] dated April 23, 1999, instead of what is enumerated in Item 4.8 of the JC. The categorization caused discrepancies or non-reconciliation with the DEPs which were pointed out in items 4 and 5 of NS No. 2023-001. The categorization and reporting of the expenses as payment of rewards, instead of purchase of information or purchase of supplies did not comply with Item 4.8.5 of the JC; thus, the audit disallowance;

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3) The amount of P3,500,000.00 was properly disallowed in audit, on the ground of non-compliance with Items 4.2 and 4.8.4 of the JC.

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[24] Amending Memorandum Circular No. 98-136 dated July 24, 1998 entitled "Revised Guidelines Relative to the Utilization of Funds for Intelligence and Confidential Purposes."

Item 4.2 of the JC provides that allocations of CF and/or IF shall be supported by a PFP, indicating the proposed amount allocated for each program, activity, and project, where disbursements pertaining to CF and/or IF are based. The submitted PFP only showed a lump allocation of P125,000,000.00 for the number of areas with surveillance conducted and monitored, and for the percentage of activities implemented without untoward security-related incidents, lacking specificity.

Acknowledgment receipts alone are insufficient. The appellants are required to provide official receipts or sales invoices as DEPs for the purchase of tables and chairs amounting to P500,000.00, and for the desktop computers and printers amounting to P3,000,000.00;

4) The petitioners did not comply with Item 5.2.1.1 of the JC regarding the submission of Accomplishment Report.

The Accomplishment Report, whether the initial or revised version, should be filed with the required offices and that a significant deviation from the first and revised reports should be submitted to these offices. The Revised Accomplishment Report submitted to this Commission is different from the report submitted to the President of the Philippines, the Senate President, and the Speaker of the House of Representatives, which is a violation of the JC; and

5) The petitioners are personally liable not only for the amount of the assailed ND, but for the entire CEs of P125,000,000.00.

Raising newly discovered evidence during the deliberations of the Committee on Good Government and Public Accountability, and invoking Section 52[25] of Presidential Decree (PD) No. 1445,[26] and Supreme Court (SC) decisions in

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[25] Opening and revision of settled accounts.

1. At any time before the expiration of three years after the settlement of any account by an auditor, the Commission may motu propio review and revise the account or settlement and certify a new balance. For that purpose, it may require any account, vouchers, or other papers connected with the matter be forwarded to it.
2. When any settled account appears to be tainted with fraud, collusion, or error calculation, or when new material evidence is discovered, the Commission may, within three years after the original settlement, open the account, and after a reasonable time for reply or appearance of the party concerned, may certify thereon a new balance. An auditor may exercise the same power with respect to settled accounts pertaining to the agencies under his audit jurisdiction.
3. Accounts once finally settled shall in no case be opened or reviewed except as herein provided.

[26] Government Auditing Code of the Philippines.

Cruz, Jr. v. COA[27] and *Development Bank of the Philippines v. COA*,[28] the ICFAO urged this Commission to exercise its power to review and revise the assailed ND, as warranted.

With the very nature of CF, where the identities of those involved and the very details of the confidential authorities are reasonably safeguarded, it follows that the real identities of the payees named in the DEPs are known to the SDO. The determination and specificity of the payees by the OVP as regards CEs could be exacted from the SDO. However, during the hearing of the Committee on Good Government and Public Accountability last November 25, 2024, Ms. Acosta admitted that the disbursements of the CF were made for purposes and payees unknown personally to her after she gave the P125,000,000.00 cash for CEs to Col. Raymund Dante P. Lachica, Head of the VPSPG, upon the directive of VP Duterte. Col. Lachica was not the duly authorized SDO for CF of the OVP, and the disbursements of the said CF for purposes and payees unknown personally to Ms. Acosta are devoid of good faith and regularity in the performance of duties.

The actions undertaken by Appellants Duterte and Acosta were unlawful for violating the prescriptions of Section 83[29] of the FY 2022 GAA and Item 6.1.1[30] of the JC; thus, rendering the CEs amounting to P125,000,000.00 void as provided in Section 87[31] of the FY 2022 GAA. Hence, it would be proper to hold the appellants personally liable not only for the disallowed

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[27] G.R. No. 210936, June 28, 2016.

[28] G.R. No. 247787, March 2, 2021.

[29] *Confidential Funds.* Confidential funds authorized in this Act shall be released or disbursed only upon approval of the Department Secretary concerned.
Confidential expenses refer to those related to surveillance activities in civilian government agencies that are intended to support the mandate or operations of the agency.
Agencies utilizing confidential funds shall submit to the President of the Philippines and both Houses of Congress a quarterly report on the accomplishments in the use of said funds.
Implementation of this Section shall be subject to COA-DBM-Department of the Interior and Local Government (DILG)-Governance Commission for Government-Owned or Controlled Corporations (GCG-Department of National Defense (DND)-Joint Circular (JC) No. 2015-01 dated January 8, 2015, and such other guidelines issued thereon.

[30] Cash advances shall be used for specific legal purpose related to Confidential Fund and/or Intelligence Fund. Under no circumstance shall it be used for liquidation of the previous cash advance or be transferred from one accountable to another.

[31] *Incurrence or Payment of Unauthorized or Unlawful Obligation or Expenditure.* Disbursements or expenditures incurred in violation of existing laws, rules and regulations shall be rendered void. Any and all public officials or employees who will authorize, allow or permit, as well as those who are negligent in the performance of their duties and functions which resulted in the incurrence or payment of unauthorized and unlawful obligation or expenditure shall be, personally liable to the government for the full amount committed or expended and, subject to disciplinary actions in accordance with Section 43, Chapter 5 and Section 80, Chapter 7, Book VI of Executive Order No. 292.

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> amount of P73,287,000.00, but for the entire CEs amounting to P125,000,000.00.

In their Reply dated March 28, 2025, the appellants reiterated their arguments in their petition for review.

ISSUE

The issue to be resolved is whether the appeal is meritorious.

DISCUSSION

This Commission finds the appeal bereft of merit.

The appellants argue that their right to due process was violated, on the ground that the ND contains findings which were not previously raised in the AOMs.

Emphasis should be made that an AOM is a preliminary audit issuance, but not a condition before an ND/Notice of Charge can be issued. Section 4, Rule IV of the 2009 RRPC provides:

> *Audit Disallowances/Charges/Suspensions.* - In the course of the audit, whenever there are differences arising from the settlement of accounts by reason of disallowances or charges, the auditor shall issue Notices of Disallowance/Charge (ND/NC) which shall be considered as audit decisions. Such ND/NC shall be adequately established by evidence and the conclusions, recommendations or dispositions shall be supported by applicable laws, regulations, jurisprudence and the generally accepted accounting and auditing principles. The Auditor may issue Notices of Suspension (NS) for transactions of doubtful legality/validity/propriety to obtain further explanation or documentation. (Underscoring supplied)

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Related thereto, Section 5.3 of the 2009 RRSA[32] provides that:

> The audit and examination of transactions pertaining to an account shall be done in accordance with laws, rules, regulations and standards to determine

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[32] COA Circular No. 2009-006, September 15, 2009.

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> whether these transactions may be allowed, suspended, disallowed or charged in audit. In case an audit decision cannot as yet be reached due to incomplete documentation/information, or if the deficiencies noted refer to financial or operational matters which do not involve pecuniary loss, an Audit Observation Memorandum (AOM) shall be issued.

An AOM is issued in case: 1) an audit decision cannot be reached due to incomplete documentation/information; or 2) for observations relating to financial/operational deficiencies which do not involve pecuniary loss. An AOM does not partake of an auditor's decision. On the other hand, persons named liable under an ND are given the remedy to contest the audit disallowance, pursuant to Section 48[33] of PD No. 1445 and Section 17.1[34] of the 2009 RRSA.

Here, the AOMs were issued on September 14, 2023, and October 3, 2023, because the propriety and validity of the CEs could not be determined; hence, the ICFAO recommended that the concerned officials submit the required documents and the necessary justifications/clarifications on the deficiencies noted. The appellants failed to do the same. Thus, on December 13, 2023, the ICFAO issued NS No. 2023-001, requiring the appellants to supply details, as the submitted Certification dated October 17, 2023, of the VPSPG did not indicate the particular accomplishments for the successful information gathering and/or surveillance activities that are directly related to the specific confidential activities undertaken by the OVP which warranted the payments of rewards. Likewise, they were required to clarify the discrepancies between the Accomplishment Report and the DEPs, the DEPs not reflecting or indicating the proper CE, and the lack of supporting documents or justifications.

The appellants failed to submit the documents and the necessary justification/clarification for the CEs; hence, the ICFAO issued ND No. 2024-002-100 (2022) dated August 8, 2024.

In *Mendoza v. COA*,[35] the SC held that:

> [T]he essence of due process is simply an opportunity to be heard or, as applied to administrative proceedings, an opportunity to

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[33] Appeal from decision of auditors. Any person aggrieved by the decision of an auditor of any government agency in the settlement of an account or claim may within six months from receipt of a copy of the decision appeal in writing to the Commission.

[34] Any person aggrieved by a disallowance or charge may within six (6) months from receipt of the notice, appeal in writing as prescribed in these Rules. A disallowance or charge not appealed within the period prescribed shall become final and executory.

[35] G.R. No. 195395, September 10, 2013, citing Gannapao v. Civil Service Commission, G.R. No. 180141, May 31, 2011.

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> explain one's side or an opportunity to seek a reconsideration of the action or ruling complained of. **In the application of the principle of due process, what is sought to be safeguarded is not lack of previous notice but the denial of the opportunity to be heard.** As long as a party was given the opportunity to defend his interests in due course, he was not denied due process. (Emphasis in the original)

In this case, the appellants were afforded due process when the ND was issued with a notice therein that audit disallowances not appealed within six (6) months from receipt thereof shall become final and executory as prescribed under Sections 48 and 51 of PD No. 1445.[36] Further, they exercised the due process afforded to them when they filed the petition for review before this Commission, questioning the audit disallowance and presenting evidence in their favor.

Under COA-DBM-DILG-GCG-DND JC No. 2015-01, CF refers to the lump-sum amount provided as such in the GAA for National Government Agencies (NGAs), in the appropriation ordinances for Local Government Units (LGUs), and in the corporate operating budgets for GOCCs, for their respective CEs. The CEs refer to those expenses pertaining/related to surveillance activities in civilian government agencies that are intended to support the mandate or operations of the agency.

Under Item 4.8 of the JC, CF shall be used only for the following CEs:

> 4.8.1 Purchase of information necessary for the formulation and implementation of programs, activities, and projects relevant to the national security and peace and order;
>
> 4.8.2 Rental of transport vehicle related to confidential activities;
>
> 4.8.3 Rentals and the incidental expenses related to the maintenance of safe houses;
>
> 4.8.4 Purchase or rental of supplies, materials, and equipment for confidential operations that cannot be done through regular procedures without compromising the information gathering activity concerned;

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[36] *Rollo*, p. 70.

4.8.5 Payment of rewards to informers (non-employee of concerned government agency) subject to the following conditions:

a. Approval by the HoA [Head of Agency] in the case of LGUs and NGAs, and approval by the Chairman of the Board in case of GOCCs.

b. Supported with documents evidencing the success of the information gathering and/or surveillance activities on account of the information given by the informer; and

c. Directly related to the conduct of the specific confidential activities of authorized agencies;

4.8.6 Uncover/Prevent illegal activities that pose a clear and present danger to agency personnel/property, or other facilities and resources under the agency protection, done in coordination with the appropriate law enforcement agencies; and

4.8.7 Others that may be authorized by the GAA or other special law/s.

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The JC is clear that the CF shall be used only for the above enumerated items.

On the other hand, Item II.3 of DILG MC No. 99-65 provides that the use of funds for Intelligence and Confidential activities shall be limited to the following: (a) purchase of information; (b) payment of rewards; (c) rental and other incidental expenses relative to the maintenance of safe houses; and (d) purchase of supplies and ammunitions, provision of medical and food aid, as well as payment of incentives or travelling expenses relative to the conduct of intelligence or confidential operations.

In its Accomplishment Report on the Utilization of Confidential and Intelligence Funds,[37] for the period from December 21 to 31, 2022, the OVP reported the following:

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[37] Annex "P" of the Petition for Review. (not paginated), details per "Certification".

Actual Outcome/ Accomplishment	Amount Utilized	Limiting Factor	Facilitating Factor	Remarks
Surveillance and Monitoring:				
a) Purchase of information	P 14,000,000.00	Lack of cooperation of constituents	Full cooperation/ initiatives of law enforcers	Conducted surveillance in 132 areas, and All the activities were 100% implemented, without untoward security-related incidents.
b) Payment of rewards	10,000,000.00			
c) Rental of other incidental expenses relative to the maintenance of safe houses	16,000,000.00			
d) Purchase of supplies	35,000,000.00			
e) Provision of medical and food aid	40,000,000.00			
f) Payment of incentives or travelling relative to the confidential operations	10,000,000.00			
Total	**P125,000,000.00**			

Based on the Accomplishment Report and the supporting documents, the CEs amounting to P73,287,000.00 were disallowed in audit, to wit:

Particulars	Amount
Payment of rewards (cash)	P10,000,000.00
Payment of rewards (various goods)	34,857,000.00
Payment of rewards (medicines)	24,930,000.00
Sub-Total-payments of rewards	**P69,787,000.00**
Purchase of tables, chairs, desktop computers, and printers	3,500,000.00
Sub-Total-purchase of tables, chairs, desktop computers, and printers	**3,500,000.00**
Total	**P73,287,000.00**

It is noteworthy that the said Accomplishment Report was submitted by the OVP to the President of the Philippines, the Senate President, and the Speaker of the House of Representatives on January 13, 2023,[38] in compliance with the reporting requirement under Item 5.2.1[39] of the JC.

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[38] As stated in the letter dated March 13, 2024 of the OVP to the COA Intelligence and Confidential Funds Audit Office in response to the issuance of Notice of Suspension No. 2023-001 dated December 13, 2023, *rollo*, p. 31-32.

[39] To strengthen accountability, all HoAs of NGAs, LGUs and GOCCs which released CF and/or IF shall submit Quarterly Accomplishment Report on the use of CF and IF (Annex C), which must be duly certified by the HoA, not later than the 15th day of the first month of the succeeding quarter, as follows:

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But insofar as the other substantiation requirements under the JC and relevant issuances, the deficiencies remain; thus, the issuance of the ND is justified, as discussed below.

a. On the disallowed payments of rewards totaling P69,787,000.00:

The payment of rewards totaling P69,787,000.00 was disallowed in audit due to the discrepancies between the submitted Accomplishment Report and the DEPs. These discrepancies were pointed out in Items 4 and 5 of NS No. 2023-001. Even though the OVP submitted letters dated March 13, 2024,[40] and March 22, 2024,[41] together with the List of Activities of VP Duterte; the reconciliation of CEs for the 4th quarter of CY 2022; and the breakdown of payment of rewards (various goods) to explain the discrepancies, the ICFAO determined that the OVP still failed to fully substantiate and support such expenditures as required by Item 4.8.5.b of the JC.

Before the submission of the LR and the Accomplishment Report, the OVP was already informed by the DBM in its letter dated September 15, 2022, that the applicable guidelines on the use, reporting, and audit of the OVP's CF is the JC and not DILG MC No. 99-65. The DBM further required the submission of the following documents as mandated in the JC:

- PFP for the OVP's CF;
- Letter-reply dated September 19, 2022, of the OVP to the DBM, submitting the PFP;
- Memorandum dated November 28, 2022, of the Executive Secretary of the OP, informing the DBM and the OVP of the approval of the release of P221,424,000.00, including the P125,000,000.00 for the CF of the latter; and
- The transactions charged against the CF of the OVP which were made in December 2022.

The payment of rewards in the form of cash, various goods, and medicines totaling P69,787,000.00 is considered CEs under Item 4.8.5 of the JC. These CEs are subject to the following conditions: 1) approval by the HoA; 2) supported with documents evidencing the success of the information gathering and/or surveillance activities on account of the information given by the informer; and 3) directly

---

5.2.1.1 NGAs - to the President of the Philippines, in the case of IF and to the President of the Philippines, the Senate President, and Speaker of the House of Representatives; and to the Department Secretary in the case of CF; x x x

[40] *Rollo*, pp. 24-35.

[41] *Rollo*, pp. 17-23.

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related to the conduct of the specific confidential activities of authorized agencies.

The non-compliance with the abovementioned conditions in the payment of rewards was already pointed out in NS No. 2023-001. However, in the petition for review, the appellants argue that the second condition on supporting documents evidencing success of information-gathering and surveillance activities had been complied with, considering that there had been no untoward security-related incidents which hindered the conduct of the activities and threatened the safety of the people.

Contrary to the appellants' assertion, this Commission holds that the OVP failed to provide documents evidencing the success of the information-gathering and/or surveillance activities. The submitted Accomplishment Report on the Utilization of Confidential and Intelligence Funds for the period from December 21 to 31, 2022, merely included a list of the CEs and a general statement that the activities were 100% implemented without any untoward security-related incident. However, it did not present the details or breakdown of the CEs and a narration of the success of the information-gathering and/or surveillance activities which were conducted.

It is to be noted that the details or breakdown of the CEs prove the necessity of the incurrence thereof and the reasonableness of the amounts paid. For instance, in the case of payments of rewards in the form of various goods and medicines to the informers, the appellants needed to prove that such various goods and medicines were necessary and reasonable in the conduct of the confidential activities, and that the confidential activities were indeed successful.

Further, other than their representations and certifications, which are self-serving, the appellants were not able to show that the confidential activities of the OVP were related to the purpose for which CFs were released to it. The enumerated activities of the OVP are observed to be governance in nature. There is no semblance of information gathering and/or surveillance activities related to national security, peace and order, or detection/prevention of illegal activities that pose a threat to personnel, property, and other resources under its protection. Thus, the expenses listed in the Accomplishment Report are not confidential in nature and should have been charged against the General Fund of the OVP, where appropriate.

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b. **On the disallowed purchases of tables, chairs, desktop computers, and printers amounting to P3,500,000.00:**

The appellants explained that they were purchased for and used in the safe houses, which were intended for surveillance operations and which also served as offices for the OVP's operatives.

Following Item 4.8.4 of the JC, which requires that CFs be used for CEs pertaining to the purchase of supplies, materials and equipment for confidential operations that cannot be done through regular procedures without compromising the information-gathering activity concerned, the said items may be considered covered, to wit:

- The tables and chairs, and the desktop computers and printers may be classified as materials and equipment, respectively; and
- Since the said items were used for surveillance operations, these could not have been purchased through regular procurement procedures.

However, the tables, chairs, desktop computers, and printers were purchased using public funds. As such, the OVP must prove the use of public funds for the purchase thereof. In this regard, official receipts or sales invoices are required as DEPs, and not merely acknowledgment receipts.

In *Yap v. COA*,[42] the SC clarified the authority of this Commission in resolving cases brought before it on appeal, thus:

> COA is not required to limit its review only to the grounds relied upon by a government's agency auditor with respect to disallowing certain disbursements of public funds. In consonance with its general audit power, respondent COA is not merely legally permitted, but is also duty-bound to make its own assessment of the merits of the disallowed disbursement and not simply restrict itself to reviewing the validity of the ground relied upon by the auditor of the government agency concerned. To hold otherwise would render COA's vital constitutional power unduly limited and thereby useless and ineffective.

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The OVP's CF must only be used for CEs enumerated in the JC and must be disbursed for CEs related to surveillance activities intended to support its mandate or operations.[43] For the liquidation of cash advances of CF, the JC requires that it should be supported by, among others, Liquidation Report, DEPs, Certification by the HoA, and other supporting documents the ICFAU (now ICFAO) deems necessary for the proper evaluation thereof.[44]

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[42] G.R. No. 158562. April 23, 2010.

Finally, the OVP's CEs, particularly the payment of rewards to informers, should be supported with documents evidencing the success of the information gathering and/or surveillance activities on account of the information given by the informers and should be directly related to the conduct of the specific confidential activities of the OVP. Likewise, the CEs must be properly substantiated as required under Section 4(6)[45] of PD No. 1445. In this case, the Accomplishment Report on the Utilization of Confidential and Intelligence Funds, the DEPs, and the Certification submitted failed to comply with the guidelines and conditions set forth under the JC. Hence, the audit disallowance amounting to P73,287,000.00 is sustained.

RULING

WHEREFORE, the Petition for Review, treated as appeal, of Ms. Sara Z. Duterte, Vice President; Ms. Gina Acosta, Special Disbursing Officer; and Ms. Julieta L. Villadelrey, Chief Accountant; Office of the Vice President (OVP), is hereby **DENIED**. Accordingly, Commission on Audit Intelligence and Confidential Funds Audit Office Notice of Disallowance No. 2024-002-100 (2022) dated August 8, 2024, on the confidential expenses of the OVP for the period from December 21 to 31, 2022, in the amount of P73,287,000.00, is **AFFIRMED**.

OMMISSION ON AUDIT
FFICE OF THE COMMISSION SECRETARIAT

GAMALIEL A. CORDOBA
Chairperson

MARIO G. LIPANA
Commissioner

DOUGLAS M. N. MALLILLIN
Commissioner

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Attested by:

EUGENIO R. DIZON
Director IV
Commission Secretary

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[43] Section 83, General Provisions. General Appropriations Act for Fiscal Year 202

[44] Item 6.2.3, COA-DBM-DILG-GCG-DND JC No. 2015-01.

[45] Claims against government funds shall be supported with complete documentation.

Copy furnished:

Atty. Sheila C. Sison
Atty. Lindon Miguel C. Bacquel
Atty. David Ronell M. Golla VII
FORTUN NARVASA & SALAZAR
Counsel for Appellants
23rd Floor Multinational Bancorporation Centre
6805 Ayala Avenue, Makati City 1226

Atty. Michael Wesley T. Poa
POA HIMALA & VIRTUCIO LAW OFFICES
Co-Counsel for Appellants
4th Saville Building
8728 Gil Puyat Avenue, Makati City 1200

Officer-in-Charge
Intelligence and Confidential Funds Audit Office
Office of the Chairperson
Commission on Audit
Commonwealth Avenue, Quezon City

CPCN 2025-0194

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LIRMD - LAMG
RECEIVED
Name: Mene
Date and Time: Jan. 23, 2025
10:22 AM

ANNEX "K"

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

COMMITTEE ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY

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Legislative Archives and Museum Management Service
Marvic M. Pareja
Service Director
Date: 08 April 2026

DATE	:	18 September 2024
TIME	:	10:00 A.M.
VENUE	:	People's Center Building House of Representatives Batasan Hills, Quezon City

REP. JOEL R. CHUA - **CHAIRPERSON**

ATTY. SHERYL CHRISTINE V. LAGROSAS - ACTING COMMITTEE SECRETARY

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Marvic M. Pareja
Service Director
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The meeting was called to order at 10:18 a.m.

THE CHAIRPERSON. The meeting of the Committee on Good Government and Public Accountability is now called to order.

Let us all stand up for the invocation to be led by Committee Secretary Sheryl Lagrosas.

THE ACTING COMMITEE SECRETARY. Let us put ourselves in the presence of the Lord. In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Lord God, You have placed us here to be in this position at this time to be a representative for your values to our nation. Direct their decision-making, their voting, and their solution-seeking and their conduct as a legislator. We pray that you would give them the insight, godly wisdom, and discernment as they approach the day. Fill them with your Spirit. We submit our will to yours, God.

Be glorified in all we do, in the name of Jesus, Amen.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE CHAIRPERSON. Please remain standing for the singing of the national anthem.

Singing of the national anthem

THE CHAIRPERSON. Puwede na po tayong umupo. We will now proceed to the roll call of the Members. Do I hear a motion to dispense with the calling of the roll?

REP. FRANCISCO PAOLO P. ORTEGA V. Mr. Chair, I move that we dispense with the calling of the roll.

THE CHAIRPERSON. Any second?

REP. JOSEPH "JOJO" L. LARA. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

Magandang umaga po sa inyong lahat, sa ating mga Kagalang-galang na Mambabatas at sa ating mga panauhin ngayong umaga. Salamat po sa inyong pagdalo. Maraming salamat po, Madam Vice President, sa inyo pong presensya ngayong umagang ito.

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Bago po tayo magsimula, I would like the Committee Secretary to recognize our Members and guests for today as well as the invited resource persons.

ComSec, could you please recognize them now?

THE ACTING COMMITEE SECRETARY. Good morning, Your Honor. Thank you.

Recognizing, of course, our Chairperson, Honorable Joel R. Chua, from the 3rd District of Manila; our Senior Vice Chairperson, Honorable Bienvenido M. Abante, Jr., from the 6th District of Manila; Honorable Romeo M. Acop, Vice Chairperson, from the 2nd District of Antipolo City; Honorable Arnan Panaligan, 1st district of Oriental Mindoro; Honorable Jefferson E. Khonghun, Vice Chairperson, from the 1st District of Zambales; Honorable Ernesto M. Dionisio, 1st District of Manila; Honorable Joseph "Jojo" Lara, from the 3rd District of Cagayan; Honorable Jonathan Keith Flores, 2nd District of Bukidnon; our Member and also author, Honorable Rolando M. Valeriano, 2nd District of Manila; Honorable Francisco Paolo P. Ortega, from the 1st District of La Union; Honorable Charisse Anne Hernandez, from the Lone District of Calamba City; Honorable Ramon Rodrigo Gutierrez, from Party List 1-Rider; Honorable Loreto S. Amante, from the 3rd District of Laguna; Honorable Joseph Stephen "Caraps" Paduano, from Party List ABANG LINGKOD; and Deputy Minority Leader, Honorable France L. Castro, from ACT TEACHERS Party List, Your Honor.

Moving on to the resource persons, we now recognize the presence of our Honorable Sara Zimmerman Duterte, Vice President. From the Department of Budget and Management, Legal Service, Undersecretary, Atty. Sarah Jane C. Abuel. From the Department of Budget and Management as well, Assistant Director for Legal Service, Rosemarie D. Pagala. From DBM, Office of the Secretary, Department Relation Unit, Mr. Mark James S. Evangelista. DBM Assistant Secretary for Budget Preparation and Execution Group, ASec Mary Anne Z. Dela Vega. Undersecretary for Functional Group Head of the Budget Preparation and Execution, Usec Rolando U. Toledo.

We now recognize our resource persons from the Commission on Audit, State Auditor, Audit Team Member for the National Government Audit Sector, Ms. Zarah Jane E. Fegalan; Commission on Audit, Legal Affairs, Attorney VI, Mr. Erwin E. Lapitan; Commission on Audit State Auditor, Mr. Fahad Bin Abdulmalik Tomawis;

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Commission on Audit, Ms. Xylene Mae Del Campo; and Commission on Audit, Attorney V on Intelligence and Confidential Funds Audit Office, Ms. Gloria A. Camora.

That's it for our resource persons and Members, Your Honor.

Your Honor, may I announce as well that we have 16 Members in attendance and we have a quorum.

THE CHAIRPERSON. Thank you, ComSec. With that, we will now proceed to the next item.

Magandang umaga po sa ating lahat.

I would like to read Section 29, paragraph 1 of Article VI of the Constitution: "No money shall be paid out of the Treasury except in pursuance of an appropriation made by law."

And Section 24 states that: "All appropriation, revenue and tariff bills, bills authorizing increase of public debt, bills of local application, and private bills shall originate exclusively in the House of Representatives, but the Senate may propose or concur with amendments."

In a democratic republic such as ours, governmental powers are divided among three branches: power of the sword to the Executive, power of the pen to the Judiciary, and the power of the purse is assigned to Congress. The power of the purse directly affects the lives of the people. We, the legislature, assumes the role of formulating spending and taxing policies, saan huhugutin at paano gagastusin? Ang gastusin ng gobyerno at ang buwis na ipinapataw sa mamamayang Pilipino upang suportahan ang mga gastusing ito ang nagdidikta kung saan ito ilalaan na siyang nakakaapekto sa galaw at paglago ng ekonomiya. Ito rin ang paraan upang magkaroon ng income redistribution.

May apat na parte sa budget process: no. 1, preparation; no. 2, legislation; no. 3, execution; and no. 4, accountability. Habang ang Ehekutibo ang naghahanda ng budget, tayo sa Kongreso ang nagbabalangkas ng batas ng budget. Implementation is with the Executive at accountability ay nakalagak sa parehong Commission on Audit at Kongreso bilang parte ng ating oversight function.

Para sa kaalaman ng lahat, the power of the purse and the role of Congress does not end with the passage of the General Appropriations Act. Kailangan

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malaman ng Kongreso paano ipatutupad ang appropriation law para siguraduhin na maayos itong ginastos at nakamit ang mga targets or desired outcomes ng bawat ahensiyang nalagakan ng pondo ng bayan. We have to ensure that funds are spent solely for purposes for which they have been appropriated, kabilang dito ang pagsisiguro na ang pag-gasta ay may tamang awtorisasyon ayon sa legal intent at purpose.

Dapat panagutin ang mga ahensiya sa pondong kanilang ginagastos. Kabilang na dito ang pagsisiyasat kung saan inaalam sa taumbayan mismo kung ang mga programang nilagakan ng pondo ay naipatupad nga at nakarating sa kanila ang mga serbisyong pinondohan. Dahil sa pag-sisiyasat kung nagagawa nga ng mga ahensiya ang kanilang trabaho...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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THE CHAIRPERSON. (Continuing)...kanilang trabaho, ang Kongreso ay maayos na nakabalangkas ng Appropriations Law.

Anong programa at ahensiya ang dapat dagdagan ng pondo? Alin ang dapat bawasan at aling programa ang dapat nang ihinto? While existing laws provide the executive some flexibility in budget implementation, mahalaga para sa Kongreso na siguruhing ang executive decisions over the budget ay ayon sa intent and priorities set in the General Appropriations Act. Karapatan ng Kongresong humingi ng paliwanag mula sa mga ahensiya ng ehekutibo ukol sa kanilang pinansiyal na desisyon kabilang na sa pagwi-withhold, delay ng release ng pondo, realign transfer of funds mula sa isang ahensiya papunta sa isa pang ahensiya, o kapag nagkaroon ng karagdagang utang.

Effective budget oversight requires access to financial data that can be used to verify or validate agency reports. Sa madaling salita, importante sa Kongreso na sagutin ang mga katanungang may kinalaman sa paggamit ng pondo. Importante din na ang isang independent constitutional body kagaya ng Commission on Audit na may presensiya sa lahat ng government offices upang matulungan ang oversight initiative ng lehislatura. Ito ang power of the purse ng Kongreso.

There may be arguments for extending parliamentary courtesy to several high offices of the executive. But I ask this, is parliamentary courtesy more important than safeguarding the budget to ensure proper utilization and allocation than asserting the power of the purse? Is parliamentary courtesy going to answer for social programs needing allocation? Paano naman ang parliamentary courtesy na sagutin ang Kongreso paukol sa paghingi ng pondo ng isang ahensiya at paggamit nito upang epektibong magawa ng Kongreso ang kanyang tungkulin sa proseso ng budget?

With this, I now recognize the Honorable Rolando M. Valeriano of 2nd District of Manila for his remarks.

REP. ROLANDO M. VALERIANO. Thank you, Mr. Chairman.

My fellow House Members, the general public watching the livestreaming of this public hearing, mga kababayan, magandang araw po.

Nagpapasalamat po ako sa liderato ng Kamara sa kanilang referral ng aking September 3 privilege speech dito sa Kapita-pitagang Committee on Good Government and Public Accountability.

Since that day, the Committee on Appropriations decided to reduce the OVP's proposed 2025 budget, partly due to unverified claims about beneficiaries and

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strategic partnerships. Ang pagtanggi ni Vice President Sara Duterte na sagutin ang mga tanong tungkol sa kanyang panukalang budget at ang kuwestiyonable niyang paggastos sa mga nagdaang OVP budgets na sinita ng Commission on Audit ang mga dahilan kung bakit tayo narito ngayon.

She expressly rejected any questions about the OVP budget even before those questions were put forward. Her claim of leaving it to the House to do what it thinks is right is just a "palusot," a smokescreen, a cover, because she does not want to provide proof for the numbers she stated in her PowerPoint presentation. The OVP socioeconomic programs are supposedly for implementation in the National Capital Region only. The OVP budget does not indicate any allocation or distribution for the provinces.

Mahigit three weeks na po mula noong unang OVP budget hearing, pero hanggang ngayon hindi pa rin nagsusumite si VP Sara o sino man sa Office of the Vice President ng solidong dokumento o detalye na magpapatunay sa mga sinasabi nila sa kanilang presentasyon. She expected us to take at face value the figures in her presentation, when there is much reason for us here in Congress to doubt the veracity of the figures in the presentation. We have not seen any paper trail or electronic trail that would serve as evidence of beneficiaries and partnership agreements.

Kung totoong may mga beneficiaries, imposibleng hindi mabalitaan iyan ng sino mang District Congressman sa Metro Manila lalo pa't tinatayang dalawang milyong beneficiaries ang nakinabang sa loob ng dalawa't kalahating taon at ang halaga ng pondo ay halos 4 billion pesos para sa 2022, 2023, at 2024.

Our field offices for constituency relations will know when such massive amounts are being disbursed and when throngs of people line up as beneficiaries because these activities need the participation of local government units and their offices.

Umaasa akong maliwanagan at mabigyan ng tamang impormasyon ng mga resource persons mula sa Commission on Audit, mga LGUs sa National Capital Region, at ng mismong Office of the Vice President hinggil sa mga kaduda-dudang paggástos ng pondo ng bayan. If they have evidence of how the OVP spent the budgets on socioeconomic programs from July 2022 to the present, I hope they will be entered into evidence after the resource persons are sworn to tell the truth and nothing but the truth.

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If there are any whistleblowers with information, evidence, and testimony about the supposed OVP socioeconomic programs, they are most welcome to contact the Chairperson of this Committee, the Committee Members, or this Representation.

Maraming salamat po, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Valeriano.

Before we proceed to the initial discussion of Privilege Speech No. 379, we will first proceed to the preliminary determination. Do I hear any motion to move for the preliminary determination?

REP. JONATHAN KEITH T. FLORES. Mr. Chair.

THE CHAIRPERSON. Congressman Flores.

REP. FLORES. Mr. Chair, I move that the Committee take cognizance of the issues raised by Congressman Valeriano in his privilege speech. Mr. Chair, I so move.

THE CHAIRPERSON. Is there any second?

REP. GUTIERREZ. Second, Mr. Chair.

THE CHAIRPERSON. Is there any objection?

REP. ARNAN C. PANALIGAN. Mr. Chair, parliamentary inquiry.

THE CHAIRPERSON. Congressman Panaligan.

REP. PANALIGAN. Before we proceed with the voting, may I inquire as to the propriety or timeliness of this Committee taking cognizance of the issues raised in the privilege speech of the Honorable Valeriano? I understand that the subject of this inquiry, 'no, are the issues raised by Honorable Valeriano in his privilege speech. I also understand that this concerns transactions, certain transactions of the OVP and DEPED. However, those transactions are subject of current COA investigations. And we also know that said COA findings are still pending subject to appeal or reconsideration. So, in view of that, I just want to be clarified as to the propriety of this Committee taking cognizance of the...of said transactions.

REP. FLORES. Mr. Chair.

THE CHAIRPERSON. Before I recognize the Honorable Flores, the Chair would like to recognize the presence of Congresswoman Gloria Macapagal-Arroyo, former President; Honorable Aurelio "Dong" Gonzales, our Senior Deputy Speaker; Congressman Roberto Uy of the 1ST District of Zamboanga del Norte; Honorable Janette Garin, Vice Chairperson and Congresswoman of 1ST District of Iloilo.

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Honorable Flores, you are recognized.

REP. FLORES. Thank you, Mr. Chair.

Mr. Chair, first and foremost, the authority of the House to conduct inquiries, in aid of legislation, has been already established, Mr. Chair. Not only is it provided for by the Constitution, Mr. Chair; it has also been well-settled in jurisprudence and in Supreme Court decisions that the House may conduct inquiries in aid of legislation.

We are not here to replace the findings of the COA, Mr. Chair, so it should not in any way interfere with the investigation also being conducted by the COA. We are just here to find out if we could, through legislation, either improve it or protect it or whatever, Mr. Chair. So, I think, the presence or the fact that there is already a COA investigation…

(MS. FLORISA M. PADA TOOK OVER)

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REP. FLORES. (Continuing)...COA investigation should not deter the House from conducting its own inquiries, Mr. Chair, in accordance with, of course, Article VI Section 21 of our Constitution, Mr. Chair.

THE CHAIRPERSON. Thank you, Honorable Flores.

REP. BIENVENIDO M. ABANTE, JR. Mr. Chair.

THE CHAIRPERSON. Honorable...the Vice Chair, Congressman Benny Abante, is recognized.

REP. ABANTE. All right. In response to the query of our good colleague there, also related to the statement of Congressman Flores, may I read the Rule I, Section 1 of the Rules of Procedure governing proceedings before the Committee on Good Government and Public Accountability as far as jurisdiction is concerned. It says here and I quote, "The Committee on Good Government and Public Accountability shall have jurisdiction over all matters directly and principally relating to malfeasance, misfeasance and nonfeasance in office committed by officers and employes of the government and its political subdivisions and instrumentalities inclusive of investigations of any matter of public interest on its own initiative or upon order of the House," Mr. Chair.

THE CHAIRPERSON. Did that satisfy you, Congressman Panaligan?

REP. PANALIGAN. Thank you very much, Mr. Chair.

THE CHAIRPERSON. Thank you.

We will now proceed. The Chair will now rule on the motion to move for the preliminary determination of Privilege Speech No. 379. Is there any objection? Hearing none, the motion is carried.

REP. LARA. Mr. Chair.

THE CHAIRPERSON. Honorable Lara, you are recognized.

REP. LARA. Thank you very much, Your Honor, Mr. Chair.

I would like to make a manifestation, Mr. Chair, that during the budget deliberations, there are issues raised concerning the fund utilization of DEPED. In the manifestation of Representative Gerville "Jinky Bitrics" R. Luistro of the 2nd District of Batangas during the budget hearing of the Department of Education or DEPED sa Committee on Appropriations dito sa Kamara, kung saan hinihikayat niya na magkaroon ng imbestigasyon paukol sa kapalpakan ng ahensiyang mag-deliver ng mga computer units in good condition sa mga end users, mga guro at estudyante, at iba pang isyung may kinalaman sa paggamit ng pondo ng bayan ng naturang ahensiya, upang makita natin kung mayroon bang misfeasance, malfeasance o nonfeasance.

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Sa madaling salita, Mr. Chair, I wish to manifest that this Committee, the Committee on Good Government and Public Accountability determine whether there is misfeasance, malfeasance or nonfeasance at kung may mga paglabag ang mga kawani ng naturang ahensiya sa kanilang mga tungkulin bilang mga kawani, Mr. Chair.

THE CHAIRPERSON. That is exactly where we are heading, Congressman Lara.

REP. LARA. Salamat, Mr. Chair.

THE CHAIRPERSON. And to continue, as manifested by Congressman Lara, the Committee, by a majority vote of all Members, decided to conduct a *motu proprio* investigation on the September 10, 2024 manifestation of Congresswoman Luistro during the budget hearing of DEPED, particularly on the agency's failure to deliver computers in good condition to end users and other issues concerning its budget utilization. Since this is a *motu proprio* inquiry and we are still waiting for the authority to proceed from the Committee on Rules, the hearing is suspended until we have receipt of the said authority to proceed. Is there any objection? The hearing is now suspended.

Suspension: 10:42 a.m.

Resumption: 10:54 a.m.

THE CHAIRPERSON. Hearing resumes.

We already took cognizance of the Privilege Speech of Congressman Valeriano, then we are ready to proceed. But with respect to the *motu proprio,* we are still awaiting for the authority. So, later na po muna iyon. Wala pa po tayong authority from the Committee on Rules.

In the meantime, may I request the ComSec to administer the oath of the invited guests and resource persons.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

To all the resource persons invited, kindly stand up and raise your right hand please, representative and resource persons from the Office of the Vice President, COA and DBM po. Thank you. Thank you, Ma'am.

MS. SARA Z. DUTERTE (Vice President, Republic of the Philippines). Mr. Chair.

THE CHAIRPERSON. Yes, the Honorable Vice President.

MS. DUTERTE. When you sent a letter to the Office of the Vice President, you attached a copy of your Rules…

THE CHAIRPERSON. Okay.

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MS. DUTERTE. ...in aid of legislation?

THE CHAIRPERSON. Yes po.

MS. DUTERTE. Yes, Sir. Nakalagay po doon na witnesses lang po ang ino-oath. Sabi niyo po ngayon sa amin, resource persons kami.

THE CHAIRPERSON. Ang ano po, considered as resource person po.

MS. DUTERTE. Ang ano po?

THE CHAIRPERSON. Kayo po.

MS. DUTERTE. Kaya nga po.

THE CHAIRPERSON. Yes po, lahat po ino-oath po.

MS. DUTERTE. Yes.

THE CHAIRPERSON. Opo.

MS. DUTERTE. Nakalagay po sa Rules ninyo, witnesses. Eh, nakalagay po dito ngayon sa table, resource persons.

THE CHAIRPERSON. Lahat po considered as resource person and witness. Lahat po naman kayo, lahat resource person pa, eh. Wala pa naman po tayong tinatawag na...lahat po considered as resource persons pa lang po.

MS. DUTERTE. Right, opo. Ang nasa Rules ninyo, witnesses lang po ang nag-o-oath. Wala po kayong rules sa resource persons.

THE CHAIRPERSON. Ma'am, ano lang po iyon, eh, iyong...iyong term lang po iyon, eh, pero considered as resource person din po kayo, eh.

MS. DUTERTE. Yes, Sir.

THE CHAIRPERSON. Opo.

MS. DUTERTE. Resource persons nga po...

THE CHAIRPERSON. Kayo...

MS. DUTERTE. ...nakalagay dito.

THE CHAIRPERSON. Witness din po at saka resource person po.

MS. DUTERTE. Hindi niyo po sinabi na witness ako. Sinabi niyo po dito ngayon, resource persons. Ang nakalagay po sa Rules ninyo, witness.

THE CHAIRPERSON. ComSec, ano po iyong pinadala po ninyo?

MS. DUTERTE. Iyon pong Rules in aid of legislation.

THE CHAIRPERSON. Paki...

REP. GLORIA MACAPAGAL-ARROYO. Mr. Chair, point of order.

THE CHAIRPERSON. What is the point of order of the Honorable Congresswoman Macapagal?

REP. MACAPAGAL-ARROYO. On this issue about the witness, resource person, *et cetera, et cetera*...

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THE CHAIRPERSON. Ma'am. Ma'am, paki lakas lang po, hindi po marinig.

REP. MACAPAGAL-ARROYO. ...resource persons and accused has been taken up in previous legislative inquiries in aid of legislation. And I want to quote a December 8, 2008 hearing in the Senate where Senator Miriam Defensor Santiago issue...had a similar...had an opinion on a similar situation, but she quoted a Supreme Court ruling. So, the Constitution provides that no person shall be compelled to be a witness against himself. The Supreme Court has repeatedly emphasized that there is a difference between a mere witness and the accused. And it can appear from statements and privilege speeches that there is...that a person who is the subject matter of an adverse...of adverse privilege speech is not a mere witness or a mere person of interest—meaning, a suspect. She is, in fact, accused of what seems to be a criminal case for violation of certain criminal laws, including malversation of public funds. And there is a case quoted in 2007, Standard Chartered Bank versus the Committee on Banks, where the court repeated the rule that an accused occupies a different tier of protection from an ordinary witness. So, the court said, Supreme Court said, "Whereas an ordinary witness may be compelled to take the witness stand and claim the privilege as each question requiring an incriminating answer is shot at him, an accused may altogether refuse to take the witness stand and refuse to answer any or all questions." So, that has been a Supreme...and then, there is a portion there, "The court explained that the right of the accused against self-incrimination also applies to respondents in administrative investigations, such as legislative inquiries in aid of legislation." So that is the point that I am raising and there is a Supreme Court ruling to this effect.

Thank you, Mr. Chair.

THE CHAIRPERSON. With that, the Chair declares one-minute suspension, recess.

Suspension: 11:00 a.m.

Resumption: 11:02 a.m.

THE CHAIRPERSON. Hearing resumes.

Madam Congresswoman Arroyo...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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THE CHAIRPERSON. (Continuing)...Madam Congresswoman Arroyo, may I know if...may I be clarified if the tenor of your point of inquiry is referring to the *sub judice* case or rule?

REP. MACAPAGAL-ARROYO. Referring to the *sub judice* case but it is saying that when a witness, in fact, is in reality the accused...

THE CHAIRPERSON. Ma'am, paki lakas po ng kaunti. Medyo hindi ko po...

REP. MACAPAGAL-ARROYO. What it is saying is that, if by the...you know, by the nature, for instance, of a privilege speech, if the witness is not a mere witness...but the person being asked is not a mere witness or a mere person of interest, he is in fact the accused of what seems to be a case or...including malversation of public funds. And the court repeated the rule that an accused occupies a different tier of protection from an ordinary witness, so I...from...given what Miriam Defensor-Santiago said and the Supreme Court ruling that she is quoting, we cannot–what do you call this?—we cannot just trivialize. Ah, kasi you're just a witness. You're a witness, pareho na rin iyong witness and resource person. They are not the same. The Supreme Court says they are not the same. And somebody who appears to be the accused has a different tier of protection from a witness and in fact can refuse to take the witness stand.

THE CHAIRPERSON. Congressman Flores, you are recognized.

REP. FLORES. Mr. Chair, this is an inquiry in aid of legislation and no one is technically accused of any wrongdoing here, Mr. Chair.

REP. MACAPAGAL-ARROYO. Ah, Mr. Chair, look at the speech.

THE CHAIRPERSON. Ma'am, please...

REP. MACAPAGAL-ARROYO. Look at the speech, Mr. Chair, the privilege speech.

THE CHAIRPERSON. Ma'am, please wait to be recognized.

MS. DUTERTE. Mr. Chair, may I request a...

THE CHAIRPERSON. Wait.

MS. DUTERTE. ...one minute recess.

THE CHAIRPERSON. I will...One minute.

One minute recess is declared by the Chair.

Suspension: 11:04 a.m.

Resumption: 11:06 a.m.

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THE CHAIRPERSON. This session resumes.

MS. DUTERTE. Mr. Chair, may I speak.

THE CHAIRPERSON. You will be given the opportunity later, Madam Vice President.

MS. DUTERTE. Okay.

THE CHAIRPERSON. In any event, the point of the Honorable Arroyo is well-taken. But we will proceed to the oath taking. If the Vice President refuse to take her oath, we will respect that.

In the meantime, ComSec, please proceed with the oath taking of the other witnesses.

THE ACTING COMMITTEE SECRETARY. To all the other witnesses and/or resource persons, please stand up and raise your right hand. Inviting the DBM, the COA, and other staff from the Office of the Vice President, Your Honor.

Please, your right hand.

Do you solemnly swear that the statements that you will give before this Committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

At this juncture, the resource persons stood up to take their oath.

THE ACTING COMMITTEE SECRETARY. I do.

The oath has been administered, Your Honor.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Of course, you have already ruled with regards to the point of order being raised by the former President and now Representative of Pampanga, Madam Gloria Macapagal-Arroyo, but still there is also a pending...supposedly a pending manifestation being made by the Members of this Committee with regards to the point of order that was raised.

So, I think, Mr. Chairman, we have to hear first...but, of course, you have already ruled, but we have to also hear the manifestation of the Members of this Honorable Committee. And in that case, you have already recognized the good Congressman Keith Flores, and I think it is just proper to recognize him once again.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you, Congressman Paduano.

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The Honorable Flores is recognized.

REP. FLORES. Thank you, Mr. Chair. But I think the ruling was already made, Mr. Chair, and I will submit, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Paduano.

We will now...Let us also discuss the administrative matters.

But before we proceed, the Chair would like to recognize: the Honorable Bongalon of Ako Bicol, Mr. Marvin Joshua Palitic of the Commission on Audit, State Auditor III; Honorable Marlyn Primicias-Agabas, Deputy Majority Leader, 6th District, Pangasinan; the Honorable Marcoleta of SAGIP, Honorable Mikaela Suansing, 1st District, Nueva Ecija; the Honorable Ricardo Cruz, Lone District, Taguig-Pateros; and the Honorable Felimon Espares of COOP-NATCCO.

The ComSec is directed to report to the Committee who have been invited and who have responded to the invitation.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

We have invited the Office of the President through email sent last September 13, 2024. However, we were informed that they use a different extension for the electronic mail; and then the Chief of Staff, Attorney Zuleika Lopez; Ms. Winnie G. Dayego, Chief, Public Assistance Division; Attorney Rosalynne Sanchez, Director for Administrative and Financial Services; and Mr. Norman B. Baloro, Director of Operations Office, to whom the satellite offices report, replied yesterday that...through their Executive Assistant Nicole, that they will...they will designate a representative from the Central Office. This is the same tenor of the replies from the satellite office from Western Mindanao, Panay and Negros Islands, BARMM, Caraga, Cebu, Bohol and Siquijor satellite office, as well as Pangasinan.

May I also note, Your Honors, that the Pangasinan Satellite Office has read our letter invitation sent on September 13. They have read it on September 14, 2024, which was on a Saturday, at 3.22 p.m. because the email sent by the Secretariat has a read receipt function, Your Honor.

Moving on, this was the same tenor as well from the Davao Satellite Office, Cagayan Valley Satellite Office, Bicol and Eastern Visayas Satellite Office.

Meanwhile, Your Honor, for the Commission on Audit, we have sent an invitation to Chairperson Gamaliel Cordoba; and Director IV of Legal Affairs, Daryl H. Tonolete, to whom we have forwarded the letter to Chairperson Cordoba; Assistant

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Commissioner Martha Roxana Sese was also sent an invitation on September 13; all of the resource persons were sent invitations on September 13; Director IV for National Government Audit Sector Cluster, Sofia Gemora; Supervising Auditor de Veyra, Elvira De Veyra were sent invitations. However, there were no direct email confirmations but they verbally confirmed their presence…Pardon me. Yes, they confirmed the presence of their representatives today.

For the Department of Budget and Management, we have Secretary…we sent invitation to Secretary Amenah Pangandaman on September 13, Usec. Janet Abuel, and as well Usec…Functional Group Head, Rolando U. Toledo, but this was…for him, it was on September 16, as manifested by the office of the Department of Budget and Management. And some of them are here…they are here today, Your Honor.

THE CHAIRPERSON. We will now proceed to the…Before we proceed to the interpellation proper, the Chair will recognize the Honorable Vice President for her message.

Yes, Ma'am. You are recognized, Ma'am.

MS. DUTERTE. A message, Sir, or my statement regarding the point of order? Message?

Mga kababayan, ladies and gentlemen, *Assalamualaikum Warahmatullahi Wabarakatuh*. Madayaw ug maayong adlaw kaninyong tanan. Magandang araw sa inyong lahat.

The officials of the Office of the Vice President, as well as each and every one of our satellite leads…satellite office leads, were in receipt of a letter from the Chairman of the Committee on Good Government and Public Accountability, dated September 13, 2024, requesting our presence or that of our duly authorized representatives in today's initial deliberation…

(MS. JOY S. JARA TOOK OVER)

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MS. DUTERTE. (Continuing)...initial deliberation with preliminary determination on Privilege Speech No. 379. In view of the said letter, I am appearing before you today, not only as the head of office, but more importantly, as the duly authorized representative of all officials of the OVP simply because we have...we have not done anything wrong. There is no misused of funds. If there are audit findings, we shall gladly respond to them before the Commission on Audit and if there are legitimate cases to be filed, then we shall gladly respond to them before the appropriate courts.

In relation to this, may I just say that I take notice of the opening speeches and nasabi doon, there is a determination of misfeasance, nonfeasance, and malfeasance. And those are cases that should properly be taken in the courts of law. What we are witnessing now is no ordinary legislative inquiry. This exercise is a well-funded and coordinated political attack. This much is evident from the very words of the privilege speech that prompted this inquiry. A speech that simply meant to say, "Do not vote for Sara on 2028". It is clear to me that this inquiry is not about misused funds, accountability or governance instead, it is solely aimed at discrediting my name and my office to prevent future political contests.

I have publicly stated my reasons as to why I have chosen not to defend the OVP's budget proposal for 2025. I have narrated the issues I encountered in previous years which can easily be confirmed by looking at the NEP, the GAB, and the GAA for Fiscal Years 2023 and 2024.

Further, I have even shared the drama that transpired last year regarding the confidential funds. Hence, just as we have done last year, we again leave the 2025 OVP budget to the pleasure of Congressman Martin Romualdez. I am not asking for any special treatment nor am I asking you to uphold any tradition. There is no disrespect. All I am saying is that you have the complete freedom to do whatever you wish with the OVP budget. If you feel that all the documentary submissions are not enough then by all means, huwag kayong magbigay ng budget. Sa totoo lang, hindi naman ang budget ang puntirya ninyo dahil napakadali naman magtanggal ng budget. What you are trying to do is make a case for impeachment. Hindi naman ako kakandidato sa nalalapit na election. Hindi ako namumulitika. Ang ginagawa ko lamang ay ang pagtupad sa aking oath of office at campaign platforms na trabaho, edukasyon at mapayapang pamumuhay. Sinabi ko na noon at ilang beses ko nang inulit na hindi ako ang problema ng bayan na ito. Ang totoong problema ng bayan ay kagutuman, kahirapan, iligal na droga, kriminalidad, terorismo, hindi na sapat na

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healthcare, kalidad ng edukasyon, kawalan ng plano ng imprastraktura para sa disasters, at marami pang iba.

So, you may try to destroy me, you can skin me alive and throw my ashes to the wind, but let it be known, you will find me unbowed. I will continue to serve the Filipino people no matter the personal cost or political intrigue.

Having said that, I will not allow myself to be subjected to an inquiry based on an empty privilege speech just so you can attack me and do indirectly what you failed to do directly during the budget hearings.

I, therefore, request this Committee to terminate this inquiry for its clear lack of any proposed legislation or substantive matter for discussion. *Shukran*.

THE CHAIRPERSON. The Committee cannot rule on that because the Committee already took cognizance of this privilege speech.

Anyway, we will now proceed. Next...

REP. RODANTE D. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. ...we will recognize the representative...

REP. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. ...from COA.

REP. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. Congressman Marcoleta.

REP. MARCOLETA. May I please raise a parliamentary inquiry.

THE CHAIRPERSON. What is your parliamentary inquiry?

REP. MARCOLETA. Thank you, Mr. Chair.

The Rules of the Committee says that this Committee only acquires jurisdiction on matters of nonfeasance, misfeasance, malfeasance. And under Section 2, Mr. Chair, of the rules, there should be a prior determination whether or not these malfeasance, nonfeasance, and misfeasance are directly or specifically relating to the persons charged of these. Has this Committee made a prior determination of these? And if so, when did it happen and where is the order specifying that the Committee has just reached a prior determination?

This is very important, Mr. Chair, because the rules also says that after determining or making a prior determination, this Committee will set an order and that is the only way that this Committee acquire jurisdiction over the person subject matter of this inquiry. And that particular order of prior determination will set out the parameters. If I can make a comparison, Mr. Chair, in regular court, it is called pre-trial order where the parameters of the inquiry, the presentation of evidence or explanations or allegations are limited to that set of stipulations.

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So, considering, Mr. Chair, and I assume that there is no prior determination, I do not think how we can start the meeting today because we are supposed to observe the rules. I'm referring to Section 2 of the Rules of this Committee, Mr. Chair.

Thank you.

THE CHAIRPERSON. Thank you.

To answer that, Congressman Marcoleta, we have already ruled on the preliminary determination a while ago. Medyo na-late na po kayo.

Now, with respect to the...with respect to your inquiry that if we can proceed with this considering that this is an investigation of malfeasance, misfeasance and nonfeasance, let me walk you through...let me walk you, ito, through the definition of Good Government and Public Accountability. It provides that, "All matters directly and principally relating to malfeasance, misfeasance, and nonfeasance in office committed by officers and employees of the government and its political subdivision and instrumentalities inclusive of investigations of any matter of public interest on its own initiative or upon order of the House."

For the information of everybody, this...the issue on confidential fund is a matter of public interest. Lahat po tayo ay interasado hindi lamang po tayo, iyong publiko po interesado kung papaano po ito nagamit...

(MS. THELMA M. RETUBA TOOK OVER)

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THE CHAIRPERSON. (Continuing)...papaano po ito nagamit. Kaya iyon po ang dahilan why this Committee has jurisdiction over the subject matter.

REP. MARCOLETA. But, Mr. Chair...

THE CHAIRPERSON. Yes, Congressman Marcoleta.

REP. MARCOLETA. Mr. Chair, under Section 5, there should be a record of preliminary determination. It says that, "The proceedings in the preliminary investigation or determination shall be recorded through stenographic notes."

What you were mentioning are *motu proprio* cases. I am assuming that this Committee started by way of a referral because of a privilege speech delivered on the floor by one of us.

And so this is the main subject matter of this Committee meeting, and to which we should first determine preliminarily whether or not this Committee acquires jurisdiction. And I demand a record of preliminary determination under Section 5 because it says "Upon termination thereof", Mr. Chair, "the Chairperson shall issue an order which shall recite in details the matters taken up." So, what are the matters taken up, Mr. Chair? I think we should be able to comply with these elementary rules as specified in the governing rules.

THE CHAIRPERSON. Well, considering that we are still in the... we have yet to proceed to the interpellation, we are still in the period of recognizing the resource person as well as the witness.

With that, the Chair declares one minute suspension.

Suspension: 10:26 a.m.

Resumption: 11:31 a.m.

THE CHAIRPERSON. Hearing resumes.

The Chair would like to recognize the Honorable Luistro, Gerville of Batangas, 2nd District; Honorable Paul Daza, Senior Deputy Minority Leader of 1st District, Northern Samar; the Honorable Raoul Danniel Manuel of the KABATAAN Party List.

The Committee would like to take note of the manifestation of the Honorable Marcoleta but considering that we have already...the Committee already took cognizance of the preliminary determination, we will proceed to the COA.

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COA, please. Sino po iyong representative ng COA?

MR. ERWIN E. LAPITAN (Attorney VI, Legal Affairs Office, Legal Services Sector, Commission on Audit). Good morning, Mr. Chair. Sa ating mga Members of the Committee, magandang umaga po.

On behalf of the Commission on Audit, we do recognize the plenary power of the Congress in asking questions relating to legislation. And since the invitation only pertains to the budget utilization of the OVP, we can answer questions relating to that, Your Honor.

That would be all, Mr. Chair.

THE CHAIRPERSON. Thank you.

We will now proceed to the next representative, representative from DBM.

MR. ROLANDO U. TOLEDO (Undersecretary, Functional Group Head of the Budget Preparation and Execution Group, Department of Budget and Management). Thank you, Mr. Chair, and good morning to all, Your Honors.

Yes. By the invitation of the Committee on Good Government and Public Accountability, we are here to provide information on the Office of the President's budget in the CY 2022-2024 budget utilization and performance compliance with the GAA, including fund transfer and budget realignment, as well as the agency's programmed projects and activities, among others.

So, any inquiry, we will just answer during this congressional meeting, Mr. Chair. And if ever there is a need for us to provide data and information, we will do so, Mr. Chair.

So, good morning.

THE CHAIRPERSON. Thank you.

The Chair is in receipt of the authority from the Committee on Rules with respect to the *motu proprio* inquiry on the manifestation of Representative Jinky Luistro during the budget hearing of the Department of Education in the Committee on Appropriations on September 10, 2024. But we will proceed with the preliminary determination later.

In the meantime, we will proceed to the interpellation with respect to the privilege speech of Congressman Valeriano.

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Before we proceed, we will set rules...we will set certain rules or parameters. We will limit the interpellator to five minutes, hindi po kasama iyong sagot. And then puwede po paki silent po ang inyong mga telepono, turn off ninyo po or silent mode. And please observe proper decorum para hindi po tayo maging magulo at maging maayos lamang po.

Lahat po iyong mga gustong mag interpellate lapit lang po dito sa ComSec at magpalista. Ang magiging sistema po natin, mauuna po ang Minority, and then the Majority, Minority, Majority.

Now, we will first recognize Representative from the Minority, the Honorable France Castro.

REP. FRANCE L. CASTRO. Thank you, Mr. Chair.

Nagpapasalamat po ako sa Committee na ito po na pinamumunuan po ninyo dahil in-schedule agad natin iyong naging privilege speech ni Representative Valeriano.

Alam ninyo po, una po sa lahat, iginigiit natin dito na ang tradisyon ay tradisyon. Pero, una sa lahat, kung ang tradisyon ay bumabangga sa interes ng mga mamamayan, sa interest ng publiko at accountability ng mga public officials at saka pagiging transparent noong lahat noong ating mga ginagawa, lalong-lalo na po sa kaperahan o lalong-lalo na po sa budget, or whatever na ipinagkatiwala po ng taong bayan sa atin ay kailangan po iyon 'yuong nauuna.

Kaya nagpapasalamat po ako dahil ito po ay iyong magse-set noong mga puwede nating magawa sa rules, mabago sa rules, puwede nating in aid of legislation, lalong-lalo na pinag-uusapan natin ang confidential funds and intelligence funds or confidential funds dito sa Office of the Vice President.

At ito ay inaasahan ko na magse-set, itong gagawin sa katapusan ng hearing na ito, iyong magse-set talaga na dapat o hindi dapat mabigyan ng confidential funds ang ating mga national government agencies. At kung mayroon man, depende, kung ano po ang magiging resulta ng inquiry na ito ay mapahigpit natin iyong, mayroon man, kung magde-decide later on kung may confidential funds pa rin, magde-decide pa rin na magiging mahigpit iyong paggamit ng confidential funds.

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Okay. So, dahil hindi naman po nag-oath iyong Vice President, Mr. Chair, ang akin na lang mga tanong ay itatanong ko na lamang po sa DBM at saka sa COA. Okay. So, inaasahan natin na magsasabi kayo ng totoo.

So, iyong first question ko po sa DBM, iyon pong... by the way, I manifest second round kung matatapos ko iyong five minutes, Mr. Chair.

THE CHAIRPERSON. Sige po.

REP. F. L. CASTRO. So, noong 2022 po na budget ng Office of the Vice President, sa DBM, Mr. Chair, mayroon po ba ditong nakalagay na line item for confidential funds?

THE CHAIRPERSON. Please address the Chair when answering.

REP. F. L. CASTRO. Mr. Chair.. Mr. Chair. Sorry, Mr. Chair.

THE CHAIRPERSON. Sa DBM po, please, you are... Usec. Toledo, you are recognized.

MR. TOLEDO. Yes. Mr. Chair, yes, there is no line item for confidential fund but there is a program that it... item under that program po na naka... ginagamit po iyong confidential fund po.

REP. F. L. CASTRO. I am not satisfied with the answer. Ang itinatanong ko lang po, mayroon bang line item doon sa budget ng Office of the President na confidential fund? Mayroon po bang line item po? Yes or no...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. F. L. CASTRO. (Continuing)...Yes or no?

MR. TOLEDO. There is no, Madam Chairman, Mr. Chair.

REP. F. L. CASTRO. Yes, okay. How about noong 2023 budget of the Office of the Vice President? Is there a line on...about confidential funds?

MR. TOLEDO. There is, Madam...Mr. Chair, there is a line item for conf...item.

REP. F. L. CASTRO. Magkano po? Magkano po, Mr. Chair, iyong confidential funds of the Office of the Vice President for 2023?

MR. TOLEDO. Five hundred million, Mr. Chair.

REP. F. L. CASTRO. Okay. You are correct, kasi nandito naman...ah, mayroon naman tayong ano diyan. Okay. So, kung iko-compare natin, Mr. Chair, iyong Office of the Vice President budget, GAA 2022 and GAA 2023, so makikita natin agad-agad iyong difference, 'no, na iyong confidential funds sa Office of the Vice President noong 2022 ay wala, pero sa Office of the Vice President sa 2023 ay mayroon. Okay. So, paano po nagkaroon ng 125 million na confidential funds ang Office of the Vice President noong 2022, Mr. Chair, sa DBM?

MR. TOLEDO. Okay. Mr. Chair, while the OVP has no provision for the confidential funds under the Fiscal Year 2022 GAA, the said release of funds was charged against the contingent fund using the existing PAP of the Office of the Vice President. What's...that is the good governance program, Mr. Chair.

REP. F. L. CASTRO. Well, ano po iyong ibig sabihin ng good governance program po? Kasi defined...alam po natin, ano, mayroon tayong JC or joint circular governing confidential funds. So, can you elaborate on good governance, Mr. Chair, iyong binabanggit ninyo po?

MR. TOLEDO. The good governance is a program of the OVP and so that's the basis for us to...for the release of the confidential fund of the Office of the Vice President, Mr. Chair.

REP. F. L. CASTRO. Well, can you elaborate? Ano ba iyong good governance? Dahil malinaw po, 'no, doon sa rules or the joint circular governing confidential funds iyong mga puwede lang na pondohan ng confidential funds, Mr. Chair.

MR. TOLEDO. Mr. Chair, we have already responded to that query, inquiry. We have sent already the letter to...dated September 11, 2023, as to what is the...all about the good governance program of the OVP, Mr. Chair.

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REP. F. L. CASTRO. Mr. Chair, this Representation has no copy of what you are referring to as the good governance programs. May I request for the copy, Mr. Chair?

THE CHAIRPERSON. Please take note of the manifestation of Congresswoman Castro, ComSec. Would you like to respond, ComSec?

THE COMMITTEE SECRETARY. Your Honor, as to part...on the part of the Committee Secretariat, we have not received a document from the Department of Budget and Management. We have sent an invitation on September 13; we are not in receipt of position paper, or any document dated September 11, Your Honor. It might be a different Committee.

MR. TOLEDO. Okay, but just the same, yes. May I respond to the inquiry as far as what it's all about—the good governance program? Particularly, good governance engagement and social services projects, this is in consideration of the urgency of the safe implementation of various projects and activities of the Office of the Vice President across its satellite offices for the last...okay. The conduct of its official engagement and functional representation in international and local events, the implementation of various projects and activities relevant to national security, and peace and order, and implementation of the same with proper security and safety protocols for the benefit of the institution, Mr. Chair.

REP. F. L. CASTRO. Thank you, Mr. Chair.

THE CHAIRPERSON. Ma'am, you only have one minute.

REP. F. L. CASTRO. One minute.

THE CHAIRPERSON. Please wrap up your...

REP. F. L. CASTRO. Okay. So, did the Office of the Vice President in 2022 ask for a budget for confidential funds from the DBM?

MR. TOLEDO. Your Honor, Mr. Chair, for 2022, there is no request for the confidential funds in the budget, but we have...as mentioned, they have request for...chargeable...we have request for 2022 but that was charged to the contingent fund.

REP. F. L. CASTRO. There was a...so, may request po ba o wala?

MR. TOLEDO. Doon sa proposed budget for 2022, wala po.

REP. F. L. CASTRO. Pero, saan po kinuha iyong 125? Sinasabi ninyo kanina, Mr. Chair, ay doon sa contingent fund. So, hindi po ba kapag mayroong

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request for a lump sum o mayroong ibibigay iyong...or pagkukuhanan iyong lump sum dapat may request.

MR. TOLEDO. Okay.

REP. F. L. CASTRO. So...

MR. TOLEDO. Yes, Mr. Chair. So, during the implementation of the Fiscal Year 2022 budget, there was a request coming from the Office of the Vice President to release an additional requirement for the Fiscal Year 2022 budget. Basically, hindi lang po iyong confidential fund but also for some PS and MOOE requirements. Now, this was...

REP. F. L. CASTRO. Pinag-uusapan lang natin iyong confidential funds, Mr. Chair.

MR. TOLEDO. Okay. So, Mr. Chair, yes, there was a request coming from the Office of the Vice President during the implementation of the budget in that year. So, that's why in...

REP. F. L. CASTRO. So, Mr. Chair, may I cut you on that, with due respect. So, may I ask, Mr. Chair, the request...

THE CHAIRPERSON. Last question, please.

REP. F. L. CASTRO. Yes. So, second round na lang ako, Mr. Chair.

May I ask the DBM, Mr. Chair, the letter-request from the Office of the Vice President? So, iyon na lang, Mr. Chair, at itutuloy ko na lang po mamaya.

THE CHAIRPERSON. The DBM is requested to submit the letter of the Honorable Vice President, request of the Honorable...

MR. TOLEDO. Yes, Mr. Chair.

THE CHAIRPERSON. Please submit it to the ComSec.

MR. TOLEDO. Yes, Mr. Chair.

THE CHAIRPERSON. Thank you. Next to interpellate is Honorable Mika Suansing. You have five minutes.

REP. MIKAELA ANGELA "MIKA" B. SUANSING. Thank you very much, Mr. Chair.

Mr. Chair, I was just hoping to take this opportunity because COA, the right team from COA, is already here. So, if I may request the ComSec, Mr. Chair, in the permission of the Honorable Chairman to pull up some slides on the screen, Mr. Chair.

THE CHAIRPERSON. Yes, please.

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REP. M. A. B. SUANSING. Mr. Chair, these were the same slides that I presented to the Committee on Appropriations during the deliberation on the budget of the Office of the Vice President two weeks ago. For those who were not there in the meeting, a very quick summary, Mr. Chair, in the interest of time. So, these…the slides were put together based on the different documents submitted by COA in compliance to the subpoena *duces tecum* and accomplishment report submitted by the Office of the Vice President. And here, Mr. Chair, several things to note.

Essentially, we have summarized across the four quarters in terms of the disbursement of the confidential expenses of the Office of the Vice President, the different audit findings of the Commission on Audit across the four different quarters. So, for Q4, 2022, which is the subject of the Notice of Disallowance, it was found that there's 73 million out of 125 million that was considered by COA as disallowed in audit. And then, for the succeeding quarters, accordingly, Mr. Chair, you would see here the proportion of the 125 million, which was questioned in the Audit Order Memorandum and not questioned across the succeeding quarters.

During the deliberations of the Office of the Vice President's budget, I directed a question towards COA to please enlighten us as to the grounds for the Notice of Disallowance for Q4, 2022, and the three succeeding quarters which were subjected…

(MS. FLORISA M. PADA TOOK OVER)

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REP. M. A. B. SUANSING. (Continuing)...which were subjected to the AOM, Mr. Chair. However, during the OVP budget hearing, the representative of COA, Assistant Commissioner Alexander Juliano, said that he was not privy to the information as he was not part of the team handling the confidential expenses. So, Mr. Chair, I believe the team who did the audit is present in today's hearing. So, if we may request, Mr. Chair, COA to please enlighten us for the four different quarters covered by the notice of the disallowance and the audit order memorandum. May we please request, Mr. Chair, COA to please enlighten us as to the ground. So, perhaps, Mr. Chair, we can go quarter by quarter. We can first start with Q4 2022, which was the subject of the notice of disallowance.

THE CHAIRPERSON. Any representative from COA who...

MR. LAPITAN. Mr. Chair, Atty. Gloria Camora, the State Auditor of the ICFAU...

THE CHAIRPERSON. Atty. Camora.

MR. LAPITAN. ...yes, will answer the query of the Honorable Congresswoman.

THE CHAIRPERSON. Atty. Camora, you are recognized.

MS. GLORIA A. CAMORA (Attorney V, Intelligence and Confidential Fund Audit Unit, Commission on Audit). Yes, good morning, Madam...Mr. Chair.

As to the 2022 Notice of Disallowance, there were three...

THE CHAIRPERSON. Ma'am, paki lakasan po ninyo iyong boses ninyo, hindi marinig.

MS. CAMORA. Okay. There were three items that are part of the notice of disallowance. The first one is on the non-submission of documents on the payment of rewards; the second one is charging some items that are not compliant under the rules, joint circular; and the third one is non-submission of the revised Accomplishment Report of the Office of the VP to the three regulatory offices, which are the Office of the President, the Senate President and the Speaker of the House of Representatives. Because what they have submitted was the original one and they made an amendment. But as of now, they have not resubmitted the amended Accomplishment Report.

REP. M. A. B. SUANSING. Mr. Chair, if COA...

THE CHAIRPERSON. Please proceed, Congresswoman Suansing.

REP. M. A. B. SUANSING. ...may please enlighten to explain to us because it seems a little bit technical po as to how it was explained by COA

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kung puwede pong maipaliwanag po sa atin in non-technical terms as to the grounds for the disallowance po.

THE CHAIRPERSON. COA, paki simplify po. Please explain it in layman's term.

MS. CAMORA. Yes po. Basically, the disallowances are because hindi po sila nag-submit ng required na documents under the joint circular.

REP. M. A. B. SUANSING. Mr. Chair, if we may move to the next slide.

THE CHAIRPERSON. Please proceed.

REP. M. A. B. SUANSING. ComSec, next slide, please.

Here, Mr. Chair, shows a breakdown of the different expense items listed in the Accomplishment Report for Q4 2022 and the three succeeding quarters which were the subject of the AOMs. Mr. Chair, I would like to, again, throw the question to COA because it seems to me...I am not an auditor. So, it seems to me that across the three succeeding quarters, the line...the categories that were flagged, as questioned in the AOM, are similar across the three succeeding quarters. So, pare-pareho po iyong naka-orange po—payment of reward, iyong provision of medical and food aid, at saka po payment of incentives or travelling relative to the confidential operations. So, Mr. Chair, if I may request COA to please enlighten us as to the reason why these categories seem to be repeatedly flagged across...flagged across the succeeding quarters under audit.

THE CHAIRPERSON. COA.

MS. CAMORA. Yes, Mr. Chair. As to the payment of rewards, the joint circular requires a document, the supporting documents evidencing the success of the information gathering. As far as the documents that they have submitted, we are not...so far, we are not satisfied with the documents they have submitted. So, we asked them to submit the documents that would satisfy the joint circular.

As to the provision of food and medical items, again, we asked them for...for an explanation since...by themselves, food and medical...food and medical aid appears to not fall under the expenses allowed by the joint circular. So, we are asking for explanation on those items. And then...it is the same with travelling expenses, Mr. Chair.

REP. M. A. B. SUANSING. Mr. Chair, in the interest of time, I'll move to my final slide.

THE CHAIRPERSON. You still have one minute.

REP. M. A. B. SUANSING. Okay. Thank you, Mr. Chair.

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Clarificatory questions lang, Mr. Chair, kasi at least nandito na ba iyong team sa COA.

Last slide, please, ComSec.

Here, Mr. Chair, I would like to ask COA because, very interestingly po, isa po sa mga napansin natin is the length of disbursement for the 125 million across the different quarters po. Mayroon po ba na information iyong COA as to how…iyong ano po, iyong…how the disbursements were done in terms of the speed by which the disbursements were done? Like, for example po, the 125 million in December were spent in 11 days as supposed to…in the…in Q3 2023 po wherein it was spent in 79 days. So…Kasi po one thing that we can see as well in the previous slide is regardless of the length of the disbursement or the speed of the disbursement, or the areas surveyed, of surveillance—if you can move to the previous slide, ComSec, ito po—the numbers of areas under surveillance are different and the speed of the disbursement is different as well. But it seems like the expenditure patterns are very similar po across categories and across the different quarters. So, mayroon po bang nakita iyong COA with regards to that po, Mr. Chair?

THE CHAIRPERSON. Please wrap up your questions.

Paki sagot na lang po, tapos tapos na po kayo.

MS. CAMORA. Mr. Chair, since we were given the data on the areas and they have also submitted the evidences of payments, we did not…we did not conduct a study on the speed by which the frequency of the payments. As long as we were…as long…we were satisfied with the number of areas that they have served. So, if we can average it based on that…the number of areas, I think it is possible to be spending that, the said amounts.

REP. M. A. B. SUANSING. Mr. Chair, final question na lang po.

THE CHAIRPERSON. Okay, last question.

REP. M. A. B. SUANSING. Because the AOMs were issued po in February 1, 2024 for the first AOM and then the second AOM po, on August 8, 2024. Reading through the AOMs po, the Office of the Vice President is given 15 days to respond to the AOMs. I believe the first one has been responded to in April. So mayroon na po bang response doon po sa August 8 na AOM?

MS. CAMORA. Yes, Madam Chair. They have submitted their reply to the AOMs, and the audit is…on the compliance is ongoing.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

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Those are my clarificatory questions po...clarification because the team handling the audit is now here. So, I just wanted to clarify po doon po sa slides na prinesent *(present)* po noong nakaraang OVP budget hearing.

Maraming salamat po, Mr. Chair.

MR. DUTERTE. May I approach the table. Request for one-minute suspension.

THE CHAIRPERSON. The Chair declares one-minute suspension.

The meeting was suspended for less than one minute at 12:00 p.m.

THE CHAIRPERSON. Session resumes...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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THE CHAIRPERSON. (Continuing)...Session resumes.

MS. DUTERTE. Mr. Chair, may I request...

THE CHAIRPERSON. The Honorable Vice President is recognized.

MS. DUTERTE. Thank you.

May I request to leave the inquiry.

THE CHAIRPERSON. Ma'am, puwede naman po considering na hindi naman din po kayo naka-oath and alam naman po namin marami rin po kayong ginagawa.

The Vice President is excused.

MS. DUTERTE. Thank you.

THE CHAIRPERSON. Thank you po.

MS. DUTERTE. Thank you, everyone.

Good morning.

THE CHAIRPERSON. One minute suspension is declared by the Chair.

Suspension: 12:01 p.m.

Resumption: 12:08 p.m.

THE CHAIRPERSON. Committee hearing resumes.

Next...Before we...We will recognize the next interpellator, the Honorable Congressman Manuel.

REP. RAOUL DANNIEL A. MANUEL. Thank you, Mr. Chair.

Good morning po sa lahat.

Well, before I proceed sa questions ko, Mr. Chair, gusto ko munang i-manifest na sobrang disappointed po tayo. Actually, kasabay ng hearing na ito sa Committee on Good Government ay ang Plenary debates sa budget for 2025. Mr. Chair, tayo and of course iyong mga colleagues natin, we took the time for this Committee at inimbitahan ang Office of the Vice President, pero iyon nga po nalaman natin na hindi nag-take ng oath. At iyon, bago po tayo makapagtanong para din po sana marinig ang nakaupong Bise Presidente ay umalis na rin po, Mr. Chair.

And, actually, when I recalled iyong mga ibang puwedeng precedence natin, Mr. Chair, while nabanggit po na mayroong right or may option ang mga public officials na hindi po mag-oath, pero hindi naman po all the time na ganoon iyong ginagawa. Even iyong mga former presidents nga po, Mr. Chair, like former President Ramos, former President Estrada, former President Noynoy Aquino ay dumalo noong inimbitahan din sila sa mga legislative inquiry at nag-take po sila ng oath, Mr. Chair.

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And I'm also wondering, Mr. Chair, kung mayroon din po bang dumalo maliban po sa sitting Vice President, other personnel po from the OVP na nandito, mayroon po ba, Mr. Chair?

THE CHAIRPERSON. Wala po.

REP. MANUEL. Pero, 'di ba, Mr. Chair, I believe we sent invitations hindi lang sa sitting Vice President pero maging sa iba pang mga nagte-take ng major function sa OVP. So, Mr. Chair, we have afforded several opportunities for the OVP actually hindi lang sa ating formal budget hearings pero maging sa Committee on Good Government, Mr. Chair. So, I think, again, we can let the Filipino judge kung ano ba talaga ang performance ng mga niluklok nating mga opisyal sa pamahalaan.

So, ang tatanungin ko na lang, Mr. Chair, ay ang COA. Sa COA ko po idi-direct...

REP. F. L. CASTRO. Interjection, Mr. Chair.

THE CHAIRPERSON. Yes, the Honorable France Castro.

REP. F. L. CASTRO. Yes. So, since the Vice President did not take the oath and I think wala naman siyang sasabihin kung tatanungin natin, so buti na lang na umalis na siya.

Well, next meeting, Mr. Chair, puwede ba nating imbitahan from the Office of the Vice President, dahil sila iyong mga pumirma doon sa mga liquidations—Ms. Gina Acosta, Special Disbursing Officer from the Office of the Vice President; Ms. Julieta Villadelrey, the Chief Accountant of the Office of the Vice President, to give...to give us light doon sa mga na-disburse, naobliga nila, at saka iyong mga receipt na ipinasa nila sa COA. Can we do that, Mr. Chair? This is a motion, Mr. Chair.

THE CHAIRPERSON. Yes po. There is a motion by the Honorable France Castro to invite...

REP. RAMON RODRIGO L. GUTIERREZ. Mr. Chair.

THE CHAIRPERSON. ...the following resource persons: number one, Gina Acosta of the Office of the Vice President; and Julieta Villadelrey, the Chief Accountant of the...from...of the Office of the Vice President.

REP. GUTIERREZ. Mr. Chair.

THE CHAIRPERSON. Is there...

REP. GUTIERREZ. Mr. Chair, point of clarification lang...

REP. PADUANO. Mr. Chairman.

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REP. GUTIERREZ. ...so that before we rule on the motion.

THE CHAIRPERSON. Okay. Before I...Before we rule, what is the point of Honorable Rodge?

REP. GUTIERREZ. Mr. Chair, may we know, just so that we know how to decide on the motion, if we will agree with it or to object.

Mr. Chair, my understanding...I understand there were two names mentioned. But iyong isa po, si Ms. Gina Acosta, may we know from the ComSec if she was already invited?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Yes. Thank you, Your Honor.

No, she was not invited. We were not informed that she was a special disbursing officer, Your Honor, so she is also not in the website, Your Honor, of the OVP.

REP. GUTIERREZ. So, those two names were not invited yet.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor, not invited.

REP. GUTIERREZ. Okay.

THE ACTING COMMITTEE SECRETARY. Ms. Gina F. Acosta, the Special Disbursing Officer and Ms. Julieta Villadelrey, the Chief Accountant of the Office of the Vice President.

REP. GUTIERREZ. Thank you.

Then, Mr. Chair, in that case, I will join the motion of the Honorable Castro.

Thank you, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

REP. RAUL ANGELO "JIL" D. BONGALON. Seconded.

REP. PADUANO. Mr. Chairman. Chairman.

THE CHAIRPERSON. Is there any objection?

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Before the Chairman rules with regards to the motion being made by the Honorable France Castro, let me ask the Chairman.

Since we invited, through the motion of the Honorable Castro, a certain Ms. Acosta and Villadelrey, Julieta, Mr. Chairman, can we ask if...kasi po if we invite those

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resource persons or witnesses, resource persons or witnesses, they should be...we should have bases for them to be invited.

Now, as far as I know, during the Appropriations budget deliberation with regards to the budget of the Office of the Vice President, the name of the two officials from the OVP was mentioned. But I hope, Mr. Chairman, there's a record with regards to what really transpired during the budget deliberation of the Appropriations. And with that, Mr. Chairman, let me also ask for the Committee on Appropriations to submit in this Committee, just for purposes of record and to justify the motion being made by the Honorable France Castro, for them to submit, through the Appropriations Committee, through the Chair, Chairman Zaldy Co, the excerpts and the documents submitted to the Committee with regard to the justification for the presence of the two officials of the OVP in the next hearing, Mr. Chairman.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Noted. We will inform the ComSec to please take note of the manifestation of the Honorable Paduano.

In the meantime, we will rule on the motion of the Honorable France Castro. Is there any objection? Hearing none, the motion is carried. The...

REP. MANUEL. May I proceed, Mr. Chair.

THE CHAIRPERSON. The Honorable Raoul Manuel, hindi po minus iyong inyong oras. You still have...

REP. MANUEL. Sige.

THE CHAIRPERSON. You still have four minutes.

REP. MANUEL. Okay. Thank you.

THE CHAIRPERSON. Please proceed.

REP. MANUEL. Thank you, Mr. Chair.

Mr. Chair, nabanggit po kanina na hindi qualified sa paggamit ng confidential funds ng Office of the Vice President for 2022 ang medical and food aid. Can we confirm this from the Commission on Audit?

MS. CAMORA. As of iyong AOM po namin, since medical...

THE CHAIRPERSON. COA, COA, please wait to be recognized by the Chair. Attorney Camora, you are recognized.

THE CHAIRPERSON. And please address your answer to the Chair.

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MS. CAMORA. Mr. Chair, since as of the review of the documents, we have deemed them not...not qualified as confidential expenses since they just indicated "food and medical supplies" as is.

REP. MANUEL. Mr. Chair, how much po iyong amount na dinekleyr *(dineclare)* ng OVP na pinaggamitan di umano ng medical and food aid?

MS. CAMORA. Mr. Chair, anong period po...

(MS. JOY S. JARA TOOK OVER)

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MS. CAMORA. (Continuing)...anong period po?

REP. MANUEL. For 2022, iyong confidential funds.

MS. CAMORA. For 2022, it was 35 million for supplies.

REP. MANUEL. For medical and food aid po.

MS. CAMORA. For medical and supplies, Mr. Chair, 40.

REP. MANUEL. Forty million pesos.

Sa pagtingin natin, Mr. Chair, bagamat siyempre gusto natin na makatulong ang ating mga ahensiya ng gobyerno, mapagbuti iyong pag-provide ng mga services pero tingin natin, Mr. Chair, ay questionable nga kung kukunin sa confidential funds ang pag-provide ng medical and food aid lalo na't supposedly nga transparent, magkano talaga iyong nagagastos para diyan. Tapos sa bawat beneficiary din, magkano iyong worth ng kanilang nakukuha? Ilan din iyong beneficiaries? Eh, 'di ibig sabihin, Mr. Chair, delikado kapag iyong ganitong mga tipo ng serbisyo ay ang magiging source natin, ano, ay confidential funds.

Sa experience po ba, Mr. Chair, ng Commission on Audit mayroon din ba dating mga agencies ng pamahalaan na nag-declare na gumamit sila ng confidential funds para sa medical and food aid?

THE CHAIRPERSON. COA, please answer.

MS. CAMORA. Mr. Chair, we have not come across or kung mayroon man, Mr. Chair, it has not been under my audit po.

REP. MANUEL. So...

MS. CAMORA. May iba po kasing auditors...

THE CHAIRPERSON. May ibang? Paki lakasan po iyong inyong boses.

MS. CAMORA. May ibang auditors po. So, hindi lang po kami, opo. So, I am not aware if may mga ibang agencies po na nagde-declare ng medical and food supplies.

REP. MANUEL. Okay. So, Mr. Chair, ibig sabihin hindi standard practice na ang pagtulong sa ating mga kababayan ay kinukuha siya mula sa confidential funds. Tama po ba, Mr. Chair?

THE CHAIRPERSON. COA, please answer.

MS. CAMORA. Tama po, Mr. Chair, pero, I would like to point out po sa joint circular that supplies, materials are, actually, allowed except that you have to identify them as used in confidential activities like surveillance activities. Iyon lang po, Mr. Chair.

REP. MANUEL. So, ibig sabihin, Mr. Chair, under our current rules, mayroon siyang qualifier pero hindi absolute na ibig sabihin kung based lang sa personal na

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kagustuhan ng opisyal ay gagamitin niya iyong confidential funds para sa medical and food aid. Tama po ba, Mr. Chair?

MS. CAMORA. Yes, Mr. Chair, as long as the rent...purchase or rental of supplies, materials, and equipment are for confidential operations, they will comply with the joint circular po.

REP. MANUEL. Okay. Mr. Chair, kasunod naman na-mention din kanina na walang bagong submission ang Office of the Vice President regarding nga doon sa notice of disallowance. Can the Commission on Audit expound on that, Mr. Chair? Kasi nga ang dating kasi sa ilan sa mga kababayan natin ay as if ba hindi nabibigyan ng pagkakataon ang OVP para talaga ipaliwanag tapos after the notice of disallowance na, actually, ang nais noon, Mr. Chair, ay pinapabalik sa OVP iyong hindi maipaliwanag na paggastos ng confidential funds. So, para lang po talaga malinaw, Mr. Chair, na bigyan ng pagkakataon ang OVP to explain and mayroon po bang mga latest na submissions ang OVP on top of those na naipasa niya dati?

MS. CAMORA. Mr. Chair, if it pertains to the 2022 confidential fund...

REP. MANUEL. Yes, Mr. Chair.

MS. CAMORA. ...wala pa pong...Actually, hindi po...hindi na po sila required mag-reply sa amin since it's already a notice of disallowance. Their remedy na po is either settlement or appeal the notice of disallowance po.

REP. MANUEL. Okay. So, Mr. Chair, ibig sabihin, para po maunawaan ng ating mga kababayan, may pinapabalik na confidential funds na ginamit ng Office of the Vice President noong 2022 na ang options ay ibalik iyon or umapela. And kung strong naman po iyong appeal at ibig sabihin ay kakayaning ma-justify, eh, 'di puwedeng hindi pabalikin, tama po ba, Mr. Chair?

MS. CAMORA. Tama po, depende po sa desisyon ng Commission Proper, Mr. Chair.

REP. MANUEL. Okay. So, kung doon sa second option, Mr. Chair, na umapela, mayroon bang mga pinasa na mga dokumento ang Office of the Vice President para po formally sila na makapag-appeal para hindi sila i-require na ibalik iyong confidential funds na na-flagged? Mayroon po bang naipasa, Mr. Chair?

MS. CAMORA. Wala po kaming information, Mr. Chair, kung nakapag-file po sila ng appeal nila. It's with the Commission Proper na po so hindi na po...hindi na po sa ICFAO iyon pinapayl *(file)*, Mr. Chair.

REP. MANUEL. So, Mr. Chair, do we have a representative from the Commission on Audit mismo labas pa doon sa ICFAO? Mayroon po ba dito, Mr. Chair, so we can get the response from them, Mr. Chair?

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THE CHAIRPERSON. We have here the representative from Government Audit Sector, Mr. Fahad Bin Tomawis. Could you respond to the query of the Honorable Manuel?

MR. FAHAD BIN ABDUL MALIK N. TOMAWIS (State Auditor, Audit Team Leader, National Government Audit Sector, Cluster 1, Commission on Audit). Good morning, Mr. Chair.

Please be informed that I'm not in the position to answer the question because I'm the Audit Team Leader of the regular audit of the OVP. For the confidential fund, it is part of the ICFAO, and for the appeal, it is part of the Commission Proper of the Commission on Audit. So, it is...it must be addressed to the Commission Proper of the Commission on Audit.

REP. MANUEL. Mr. Chair, so mayroon po ba...

THE CHAIRPERSON. May I...

REP. MANUEL. ...taga-Commission Proper?

THE CHAIRPERSON. May I ask the ComSec if she invited the representative of, ano iyon?

VOICE. COA.

THE CHAIRPERSON. COA.

MR. LAPITAN. Mr. Chair. Mr. Chair, there's an office that monitors the filing of an appeal, which is the Commission Secretariat Office. So, on the question on whether there's an appeal that has been filed by the OVP, we will validate on that, Mr. Chair.

REP. MANUEL. Mr. Chair.

THE CHAIRPERSON. Please do so.

MR. LAPITAN. Yes.

Yes, Congressman Manuel.

REP. MANUEL. Since kailangan din nating malaman, 'no, dito sa Committee, how long po iyong duration para ma-verify po at ma-check iyong ganoong impormasyon?

THE CHAIRPERSON. Attorney.

MR. LAPITAN. Mr. Chair...

THE CHAIRPERSON. Atty. Lapitan.

MR. LAPITAN. ...the OVP has 180 days to file an appeal. So, we will wait for that...within that period, Mr. Chair.

REP. MANUEL. Okay. So, Mr. Chair, kailan po nag-start ang pagbibilang ng 180 days or nearly six months?

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THE CHAIRPERSON. Sino po ang sasagot?

MS. CAMORA. Mr. Chair, it runs…

THE CHAIRPERSON. Atty. Camora, you are recognized.

MS. CAMORA . Sorry.

Mr. Chair, it runs from the receipt of the OVP of the ND which is, per our record, it was on August 9, 2024.

REP. MANUEL. Okay. So, ibig sabihin, Mr. Chair, aabangan natin ang magiging action. Nonetheless, Mr. Chair…

THE CHAIRPERSON. Please, wrap up your questions.

REP. MANUEL. Yes, Mr. Chair. Thank you.

Para lang maliwanag talaga at hindi po nadi-disinform ang ating mga kababayan, ibig sabihin po ang mayroong dapat na proactive na ginagawa para maghabol at ipaliwanag kung paano ginamit iyong confidential funds…

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REP. MANUEL. (Continuing) ... confidential funds ay ang OVP po talaga. Hindi po puwedeng linlangin iyong ating mga kababayan na it is the burden of other offices, other officials na mag-present po ng mga ebidensiya. Kasi, in fact, ang sabi na nga po noong COA, kung hindi mag-aapila, ay dapat po talaga ibalik ang hindi maipaliwanag na paggastos ng confidential funds.

Iyon lamang po, Mr. Chair. Maraming salamat.

REP. PADUANO. Mr. Chairman...

THE CHAIRPERSON. Thank you.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes. Before I recognize the next interpellator, the Honorable Paduano, you are recognized.

REP. PADUANO. Thank you, Mr. Chairman.

Germane to the question asked by Congressman Manuel, to the COA. Now, the Office of the Vice-President made an appeal. Okay. Now, ang question, timeline po tayo, timeline. So, an appeal will be discussed doon sa Director, then Commission proper, how long will it take iyong appeal?

THE CHAIRPERSON. COA. Sino po sa inyo...

REP. PADUANO. How long will it take?

THE CHAIRPERSON. ...COA? Atty. Camora.

MS. CAMORA. Mr. Chair, may I ask...

REP. PADUANO. The appeal...

MS. CAMORA. ...the petition, the appeal is...

REP. PADUANO. ... how long will it take?

MS. CAMORA. They are given 180 days po from...

MS. CAMORA. Tama, 180 days.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. So, within six months?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. And after that, after the 180 days, which is six months...

THE CHAIRPERSON. Ang tanong po ni Congressman Paduano, after the appeal, gaano po ninyo katagal bago sagutin or maglabas po kayo ng recommendation?

REP. PADUANO. Sandali po. Chairman...

THE CHAIRPERSON. Okay. Please.

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REP. PADUANO. ...kasi the appeal, the appeal... the AD office, for that matter, and in this case, the Office of the Vice President is given 180 days or six months from the appeal. Now... so, bibigyan sila ng six months. And now, for example, the appeal supposedly started when the NDA, Notice of Disallowance, started January, so ang appeal niya, 'no, ang appeal niya will be puwedeng June 30, tama, on that year, tama? Last day, for example, of that 180 days. Tama?

MR. LAPITAN. Yes, Mr. Chair.

REP. PADUANO. Then, again, after the appeal iakyat sa Commission proper?

MR. LAPITAN. Mr. Chair, the appeal is filed before the Commission proper, Mr. Chair.

REP. PADUANO. So, hindi dadaan doon sa Director, diretso na po sa Commission proper?

MR. LAPITAN. Hindi na po.

REP. PADUANO. Okay. Now, upon the receipt of the Commission proper, how long will it take for the Commission proper to decide?

MR. LAPITAN. Under our Rules, Mr. Chair, 60 days po. But...

REP. PADUANO. Sorry, sorry, 60 days?

MR. LAPITAN. Yes.

REP. PADUANO. That's two months. Okay. But what? Please.

MR. LAPITAN. But the Commission proper may release its decision beyond the 60 days considering the peculiarity of the case and, of course, the appreciation of the submitted documents, Your Honor.

REP. PADUANO. So, you are telling the peculiarity of the case. In the case of the Office of the Vice-President is so peculiar, that is why that will go beyond the 60 days? Are you saying that?

MR. LAPITAN. Your Honor, actually, what the rules prescribed is 60 days.

REP. PADUANO. Iyon, iyon ang rules, hindi ba?

MR. LAPITAN. Yes.

REP. PADUANO. Now, Mr. Chairman, just a short manifestation. Ito ngayon ang problema, kasi we are conducting this inquiry in aid of legislation because we have to have a legislative action in this case. Again, part of my manifestation, Mr. Chair, we have to review, we have to review that 180 days because that is too long. Kasi puwede kasing mangyari talaga na last day of that 180 days, saka nila sagutin iyong appeal, na magpadala ng appeal. Then after that, under the Rules, is another 60 days and it will take eight months, Mr. Chairman.

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That's why, again, it was already discussed in the previous hearing in my Committee and again I want to appeal to the COA to please have an amendments on such because that is not a law, that is just a policy, an IRR of the COA.

And, Mr. Chairman, allow me to discuss furthermore later. But, as of now, Mr. Chairman, I would like to manifest that iyon po ang problema ng COA because 180 days and another 60 days is too long to give justice to the funds being appropriated by any agency. I'm not just pinpointing to the Office of the Vice-President. It happens even in any agency and even with regards to the case under my Committee, in the case of Mamba, Governor Mamba, until now the COA has not yet submitted its final report. That's why, again, I'm appealing to the COA. Last year pa po ito, last year budget ninyo pa, and hopefully bukas nakasalang kayo, hindi ba, kaya lang may QuadCom ako bukas. Kasi kung wala akong QuadCom, sisingilin ko ulit kayo because this issue has been taking too long since last year pa, Mr. Chairman, and that's... As of now, Mr. Chairman, I end my manifestation and I will proceed later with the specifics with regards to the issue about the COA audit report of the Office of the Vice-President.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you po.

We will now recognize the Honorable Vice-Chairman Jeff Khonghun.

REP. JEFFERSON F. KHONGHUN. Just a statement, Mr. Chair. The purpose of this inquiry is not to attack anyone, but to shed light on matters that affect our nation's governance. Refusing to testify under oath sends a signal that there is something to avoid. If there is nothing to conceal, why not take the oath? It is the basic act of accountability that all public officials must be willing to undertake. When a public official refuses to take an oath, it opens the questions about the truthfulness of their statement. Taking the oath is not just a legal formality, it is a commitment to honesty. Any refusal to do so undermines trust in public statements.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Honorable Jeff Khonghun.

REP. LARA. Mr. Chair.

THE CHAIRPERSON. Yes, Honorable Lara.

REP. LARA. Chair, just a manifestation also with regards to COA, relative doon sa binanggit ni Chairman Paduano. Considering na lahat ng mga investigation natin when it comes to public funds, ang number one na kailangan natin is the COA 'no, kasi alam naman natin ang role ng COA dito. So, ang ano ko lang, sa lahat

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nabanggit niya iyong Mamba case and others. Palagi ang germane na issue here is the duration from which nai-finalize ninyo iyong report ninyo. So, ito, from your end, Mr. Chair, sana maparating ito kay Chairman ng COA, once and for all, na iyong... you try to review iyong mga policies na pinormyuleyt (*formulate*) ninyo. Kasi ito sa... sa mga pagdinig namin 'no, ang...the whole COA process from the time na magkaroon ang audit to AOM, to Notice of Disallowance, to the filing of proper cases. Palagi ninyong tandaan, Mr. Chair, on the part of COA, iyong dokumento talaga na manggagaling sa kanila is a very, very crucial, if not, iyon iyong talagang magdidiin kung mayroon talagang paglabag sa lahat ng ito. Katulad ng issues natin ngayon dito sa pinag-uusapan natin ngayon. So, ito po, with due respect sa COA 'no, iyong mga... iyong... you should also take into consideration all the processes notwithstanding the dilatory tactics that causes the delay. Kasi katulad nito, 180 days bibigyan ninyo from which to appeal, baka mayroon ulit ito, isa-submit uli, 'no, na mag-i-issue ng... or magsi-seek ng another extension of time na pinagbibigyan ninyo.

So, ito, just to manifest, Mr. Chair, if it would be formulated and legislated itong mga ganitong mga bagay in terms of duration kasi alam naman natin ang purpose, number one purpose ng lahat ng pagdinig natin dito sa Kongreso is in aid of legislation 'no, para hindi na maulit ito, kung puwede mapaiksian natin itong mga duration, in terms of duration, 'no, should be reviewed. Halos lahat ng cases involving government funds kailangan ang final COA report for filing appropriate charges.

And with due respect sa COA, Mr. Chair, tingin tuloy ng ating mga kababayan na kayo ang cause of delay ng pagpa-file ng mga proper charge, if not, in some cases. In cahoots tuloy ang tingin na nila sa inyo which is not also fair, 'no, sa COA. Ang puwede nating gawin, tutal ang tagal ninyo naman na ginagawa itong prosesong ito, Mr. Chair, ng COA, from your end sana kayo na ang mag-propose sa amin kung paano natin mapabilis ang mga proseso natin. Kasi katulad noong binabanggit ni Chairman Paduano kanina, it's only a policy formulated din coming from the COA, Mr. Chair.

So, ito, ang appeal ko lang, Mr. Chair, para lahat ito para hindi nila ma-misinterpret na katulad nito, trabaho lang ang ginagawa natin, tapos baka iba ang ini-insinuate ng iba na nagpo-politika tayo dito, ang ano ko lang, kung ma-shorten lahat ito or magawan ng policy...

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REP. LARA. (Continuing)...magawan ng policy talaga when it comes to COA, 'no, na mapabilis lahat itong mga proseso natin. So, iyon lang, Mr. Chair, just to manifest.

THE CHAIRPERSON. Thank you. The next to interpellate is the Honorable Paulo Ortega.

REP. FRANCISCO PAOLO P. ORTEGA V. Maraming salamat po, Mr. Chair. Short manifestation lang po, marami pa rin po tayong tanong. Parang back to the future po iyong nangyari sa atin, Mr. Chair, doon po sa budget briefings nga before but, still we will pursue our questions, Sir. Pero since hindi nga po nag-oath si ating Vice President and she left early, hindi rin po siya...malamang hindi rin po siya sasagot ng mga tanong, Mr. Chair, and ipu-pursue pa rin natin iyong mga katanungan natin, Mr. Chair. That's why I will ask nga po for the support of this Committee. Magsa-submit po ako ng mga tanong na nais ko pong tanungin sa Office of the Vice President saka iyong mga iba't-ibang ahensiya po nandito at isa-submit ko po sa Komite at aabangan po natin kung anong...written na answers po ang ibibigay nila sa ating Komite.

Kasi may mga tanong po na galing naman po sa aming respectable districts. Hindi naman po namin alam kung paano namin sasagutin ng direkta iyong mga taga-lugar namin. Marahil po pati iyong mga ibang nagtanong po dito may mga tanong din po kapag umuuwi sila sa kanilang districts on how the confidential funds and how the other funds were used, at kung bakit po iniiwasan iyong mga tanong. At kalahati po noong statement nga po kanina is puro naman po sa pamumulitika sa susunod po na eleksiyon. Tutal iyong mga tanong naman po is previous years at hanggang sa 2024, Mr. Chair. So, I will submit to this Honorable Committee iyong mga tanong po na gusto po nating masagot ng Office of the Vice President, ng COA, at saka ng DBM, Mr. Chair.

Maraming salamat po.

THE CHAIRPERSON. Thank you. The next to interpellate, the Chair recognizes the Honorable Ramon Gutierrez.

REP. GUTIERREZ. Thank you, Mr. Chair.

Actually, Mr. Chair, mostly iyong katanungan po natin, we were hoping to direct to the OVP, and we were expecting that this is no longer a budget hearing, at the very least, iyong mga Usec. and ASec. that were requested to be here would be around. But given na wala po sila at wala rin po tayong maitanong sa OVP, siguro

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initial questions na lang po sa COA, but I will be reserving most of my questions for...probably, the next hearing kapag nandito na po iyong appropriate representatives.

THE CHAIRPERSON. Yes. Please proceed.

REP. GUTIERREZ. Thank you. Mr. Chair, may tanong lang po muna ako sa 500 million na confidential funds ng OVP for Fiscal Year 2023 po, 'no. Noong 2022 nag-request po ang OVP ng 500 million para sa confidential funds for GAA 2023. Is this correct po? May we ask any representative of the COA, oh, of the DBM pala po, mas appropriate siguro.

MR. TOLEDO. Yeah. I'm sorry. Mr. Chair...

THE CHAIRPERSON. Usec. Toledo, you are recognized.

MR. TOLEDO. Yeah. Yeah, Mr. Chair. For 2023, there was a request for confidential fund for 500 million pesos, Mr. Chair.

REP. GUTIERREZ. And the 500 million that was requested by the OVP was approved by the DBM and was consequently also approved by the House and the Senate. Is that correct, Mr. Chair?

MR. TOLEDO. Yes, Mr. Chair, it was approved by the Congress, yes.

REP. GUTIERREZ. Mr. Chair would the good Usec. be aware po kung ano po iyong justification that was propounded by the OVP to the DBM for the request of 500 million?

THE CHAIRPERSON. DBM, please continue.

Cong. Rodge, kanino po ninyo ina-address iyong question nila?

REP. GUTIERREZ. Ah, sa DBM din po.

THE CHAIRPERSON. Yes, Usec. Toledo, please.

REP. GUTIERREZ. I believe po, Mr. Chair, the justification of any budget proposed for the President's budget, iyong NEP po, ay dumadaan sa DBM. So, I think they would have the...they will be in the proper position to answer this. Thank you, Mr. Chair.

MR. TOLEDO. Yeah, yeah. Mr. Chair, basically, the proposed contingent, rather, confidential fund for 2023 is the same as the use for 2022 that was approved due to release of the contingent fund which is, basically, for the good governance engagement and social services projects of the Office of the Vice President, which I related earlier as far as where to use that. Basically, for the safe implementation of various projects, activities of the Office of the Vice President across its satellite

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offices, okay. So, also, the conduct of its official engagements and functional representation in the international and local events, also the implementation of various projects and activities relevant to national security, and peace and order, and implementation of the same with proper security and safety protocols for the benefit of the institution, Mr. Chair.

REP. GUTIERREZ. Thank you, Mr. Chair. And I would agree that those could be activities precisely within the purview of the use of confidential funds. And I believe that if that was the justification given to the DBM, it will be understandable po na ito po iyong talagang i-approve nila.

However, Mr. Chair, in hindsight, in retrospect this is 2020, there were actually signs already na there were...there was confusion as to the proper use of these funds. If I recall, there's an article, actually, in which a certain Atty. Munsayac in 2022 mentioned in justifying whoever the OVP would be. Actually, this is something that I was supposed to ask the OVP, pero dahil wala po sila, I will just relay what I have read. And, hopefully, they can just confirm it at a later time.

Ang sabi po nila sa ilalim ng good governance program ng OVP, kasama po dapat sa confidential fund usage iyong Libreng Sakay, PagbaBAGo campaign, OVP food trucks, livelihood programs like Mag Negosyo Ta 'Day, which should be noted is the precise program that is suffering from 0.4 percent utilization rate, 'no, and medical assistance and burial assistance.

Mr. Chair, I would like to ask the DBM. Had they known...if kung ito po iyong magiging justification for CIF request worth 500 million, would he...would, in his opinion, would this have been allowed by the Secretary of the DBM? Was this within the purview of the use of confidential funds, Mr. Chair?

THE CHAIRPERSON. Usec. Toledo, please answer.

MR. TOLEDO. Mr. Chair, I think some of those programs or projects that were mentioned should all be good to be implemented by the other different implementing agencies. So, I will leave that...my answer is that the confidential fund should always be related to what has been for the good governance project—engagement and social services projects of the Office of the Vice President.

REP. GUTIERREZ. Yes, Mr. Chair, and I agree with that. But, on its face po, 'no, iyong binanggit ni Atty. Munsayac, would this be considered iyong security requirements for the implementation? Kasi po very general lamang po ang sinabi niya, eh. He just mentioned the programs itself, and I don't know if may security

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component po iyong, for example, Libreng Sakay. I don't know kung may security component iyong Mag Negosyo Ta 'Day. Definitely, maybe not with the PagbaBAGo campaign, medical assistance, burial assistance.

MR. TOLEDO. Mr. Chair, as a matter of fact, we have some sort of exclusive use for the confidential fund. Basically, if I may enumerate it, Mr. Chair. One is purchase of information for...necessary for formulation and implementation of programs relevant to national security, peace and order; rental of transportation vehicles, and maintenance of safehouses used for confidential activities; purchase or rentals of supplies and equipment, among others, for confidential operations; payment of rewards to informers subject, of course, to guidelines; and then, uncover or prevent illegal activities that may pose danger to the agency or its personnel or property; and, I guess, others that may be authorized by the...of course, the General Appropriations Act and special laws.

REP. GUTIERREZ. Thank you, Mr. Chair. So, I think, of course, I can't speak for the Committee, but we can consider na parang outside of the purview of the enumerated instances iyong ginawang justification po nitong Atty. Munsayac. But this is something, I guess, that we'll pursue on latter time.

Mr. Chair, may I ask po in relation to the good governance program, and I think I could ask this to the COA, if it will be okay. Is there a requirement for a physical and financial plan when it comes to the good governance program? Is this a requirement when disbursing?

THE CHAIRPERSON. Who will answer po sa COA?

MR. TOMAWIS. Mr. Chair, good morning.

THE CHAIRPERSON. Yes. Please identify yourself.

MR. TOMAWIS. I am Fahad Bin of the Audit Team; Team Leader of the OVP. Regarding...

THE CHAIRPERSON. Okay. Please continue.

MR. TOMAWIS. Yes, Mr. Chair. For the question relative to the work and financial plan, I think I do not have the knowledge...

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MR. TOMAWIS. (Continuing)...the knowledge if it is required. But then, based on our regulation, it is not part of the regulatory or documentary requirements for the disbursement.

REP. GUTIERREZ. Okay. Thank you, Mr. Chair.

Mr. Chair, moving to the next question, the rest of these po requires answers from the OVP, but I will reserve that for the next session po siguro, next hearing.

Mr. Chair, in relation to the procurement for OVP satellites, it is not fully compliant with the Procurement Law? Pag-upo po ni VP Duterte noong July 2022, it was reported...

REP. ABANTE. Congressman Gutierrez, you still have one minute.

REP. GUTIERREZ. One minute. Okay. It was reported that satellite offices would be part of the thrust of the OVP, and at that time, there were still no office spaces. Was the DBM—I would like to direct this to DBM, Mr. Chair—was the DBM made aware of the OVP's intention to set up satellite offices? I understand sa line item wala pong specific doon, 'no, sa OVP. And perhaps this was by object of expenses. Basically, iyong tanong ko po is, aware po ba iyong DBM of the intention of the OVP to set up satellite offices?

REP. ABANTE. DBM, please.

MR. TOLEDO. Mr. Chair, that's part of the request when they requested for the...for the confidential fund.

REP. GUTIERREZ. Confidential fund?

MR. TOLEDO. Ay, contingent. Yeah, contingent.

REP. GUTIERREZ. Contingent fund po iyong ginamit?

MR. TOLEDO. Yes, Mr. Chair.

REP. GUTIERREZ. So, this is...this question is not about the CIF fund.

MR. TOLEDO. Yeah, yeah.

REP. GUTIERREZ. So, out of the contingent fund, doon lumabas. So, it was not part of any line item.

Mr. Chair, in the history of the DBM po, and I know I've asked this during the budget deliberation, but I'd like to reiterate. Has this been an occurrence from previous administrations? Has any other Vice President requested the establishment of satellite offices? And if they did, did they source it from the contingent fund?

MR. TOLEDO. Mr. Chair, we'll just check our record. I can't recall if there was such a request then in the previous administrations.

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REP. GUTIERREZ. And I think this is answered previously kasi wala naman po talaga. But we'd like to get a final determination by the DBM, final confirmation na wala pa talaga.

Now, based on the 2022 OVP Annual Audit Report, there was a finding that hindi po dumaan sa maayos na procurement or bidding iyong property, plant and equipment, and semi-expendable properties for the satellite offices. Would the COA be able to expound on this annual...finding in the Annual Audit Report, Mr. Chair?

REP. ABANTE. COA.

MR. MARVIN JOSHUA J. PALITIC (State Auditor III/Audit Team Leader, National Government Audit Sector – Cluster 1 Executive Offices, Commission on Audit). Mr. Chair, Marvin Joshua J. Palitic po.

Yes, Mr. Chair. We confirm na...that in the 2022, we noted that some of the semi-expendable and PPE were not...were procured through reimbursement and not fully compliant with the RA 9184.

REP. GUTIERREZ. Mr. Chair, this is interesting. What is the proper mode po? We don't do reimbursement, dapat may specific item po ito. And we would do competitive bidding po ba, or is there a specific mode that is allowable under the COA regulations?

MR. PALITIC. For purchase of equipment and PPE, there are alternative modes of procurement under the 9184. For example, a small-value procurement, emergency purchase, if the...if they need...and if there is emergency identified for the purchase.

REP. GUTIERREZ. And in your finding po, through the Honorable Chair, was there any justification for this...and none of those three would include by reimbursement po, 'no, sa kanilang officers. So, was there any justification for this mode of acquisition, Mr. Chair, mode of procurement, I mean?

MR. PALITIC. So, the management stated na...that due to the time constraints imposed, 'no, by the RA 9184, the Procurement Unit was unable to process the requests at the time of the opening of the satellite offices. So, the Property Unit, on the other hand, does not have the necessary office equipment at the time of the opening. It was agreed during the discussion meeting with their office that reimbursement would be the best option to address the immediate need.

REP. GUTIERREZ. Now, Mr. Chair, is that a valid...iyong sabi po ng management, is that a valid excuse sa kanilang opinion po? Would this count as irregular? Ano po nga iyong basis natin sa COA for having findings? You have an

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acronym po, 'no—irregular, excessive, and...Can you run us down through that, Mr. Chair?

MR. PALITIC. Mr. Chair, these are not compliant with the 9184 or can be considered as irregular.

REP. GUTIERREZ. So, irregular po siya. But, sorry, for...to enlighten us lang po, ano po iyong basis po natin? I remember it was mentioned during the budget hearing, I forgot lang iyong shortcut ninyo—you have irregular, unconscionable. Can you give us? I think it was five.

MR. LAPITAN. Yes. Mr. Chair, can I answer?

REP. GUTIERREZ. Yes, through the Honorable Chair, please.

MR. LAPITAN. Yes, Mr. Chair. We have illegal expenditure, irregular, unnecessary, extravagant, unconscionable and excessive.

REP. GUTIERREZ. Thank you, Mr. Chair. And in this case, mukhang irregular, highly irregular po iyong procurement process.

THE CHAIRPERSON. Last two minutes.

REP. GUTIERREZ. Hindi. Okay lang, Mr. Chair. I will not take up any more time. The rest of it naman po would be properly answered by the OVP. So, in that case, Mr. Chair, I will yield to the other interpellators.

Maraming salamat po, COA and DBM. Thank you, Mr. Chair.

THE CHAIRPERSON. We will proceed to the next interpellator, the Honorable Congresswoman Luistro. Please proceed.

REP. GERVILLE "JINKY BITRICS" R. LUISTRO. Thank you, Mr. Chair.

I wish to manifest that the refusal of Her Excellency Vice President Sara Duterte to take her oath in today's hearing in the conduct of inquiry, in aid of legislation, is an affirmation of her stand, her position during the budget briefing of the OVP. And this Representation wishes to manifest that when the resource speaker does not take her oath, then it follows that whatever statement she will provide, we call it "it could hold any water." That being not under oath, the same cannot be used as an evidence in any inquiry, in any proceeding, Mr. Chair.

In other words, her refusal to answer in the last budget briefing of the OVP is tantamount to her stand in today's inquiry of refusing to take her oath. That is for manifestation, Mr. Chair.

And with that, Mr. Chair, I wish to remind the Committee, our esteemed colleagues and the Filipino people of the constitutional mandate that public office is a public trust. When there is a question, we are bound to answer; we are bound to

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explain. As a matter of fact, no less than the Philippine Constitution provides, "We are accountable to the Filipino people at all times."

We are now confronted by the issue on confidential fund. And I wish to emphasize, ang confidential fund po ay pera ng taong-bayan, and we owe it to the people to explain kung paano ito ginastos, saan ito napunta and to be specific, sinunod po ba natin ang joint circular regulating the use of confidential fund?

Mr. Chair, I wish to raise as well to invoke as well, and remind our esteemed colleagues that pursuant to the separation of power, we, the Congress, is exercising the power to legislate. Under this power, we also have the power of the purse, we can amend, we can revise, we can approve and we can disapprove the budget that was proposed to us by the Executive.

And I wish to remind as well that the best instrument which shows the power of the purse of the people is no less than the General Appropriations Bill, which is an embodiment of the allocation for the entire Philippine Government which is the result of the legislative process of the Congress. In other words, ang budget po ng ating bansa ay napapaloob din sa isang batas, saklaw ng kapangyarihan ng Kongreso, and that is the power to legislate. To be able to make sure that the power of the purse is properly exercised, we are granted as well by the oversight power and that is to make sure that all our legislations, that includes the budget of the National Government, the General Appropriations Act are well complied with…

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. LUISTRO. (Continuing)...well complied with by our fellow public servants. And to make sure and as a consequence of this oversight power, we have this inquiry in aid of legislation.

So, I just wish to remind the Filipino people, and that includes the OVP, ito po ay trabaho ng Kongreso, busisiin ang budget. And not only that, to exercise the oversight power to make sure na iyon pong ating mga nakaraang legislation, that includes the General Appropriations Act, ay nagamit nang tama ng mga ahensya ng gobyerno. I hope that the OVP will be enlightened to address the issues instead of attacking this institution of politicizing and matters concerning politics, Mr. Chair.

Third, Mr. Chair, we should be uniform in the application of our rules. If we are guided by the constitutional mandate that public office is a public trust, if we observe malfeasance, misfeasance, and nonfeasance in the LGUs, as a matter of fact we have pending inquiry in aid of legislation concerning LGUs. Kung iniimbestigahan po natin ang office of the mayor, kung iniimbestigahan natin ang office of the governor—by equality, under the law, we should conduct an investigation as well to the Office of the Vice President.

And I wish to thank the Honorable Valeriano for taking a stand before the Plenary to initiate this inquiry in aid of legislation to address the observation not only of this Representation, but of our fellow Members of the Committee on Appropriations about the irregularities which we have seen already in the disbursement of fund. As a matter of fact, not only of the confidential fund but even in the regular allocation of the OVP.

With that, Mr. Chair, may I proceed to my question for the COA.

THE CHAIRPERSON. Yes.

REP. LUISTRO. Kanina po...

THE CHAIRPERSON. But after your lengthy...

REP. LUISTRO. Lengthy ba iyon?

THE CHAIRPERSON. ...lengthy manifestation, you have already...

REP. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. ...consumed four minutes.

REP. MARCOLETA. Mr. Chair.

REP. LUISTRO. Just one question, Mr. Chair.

REP. MARCOLETA. Mr. Chair. Mr. Chair.

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REP. LUISTRO. Just one question.

THE CHAIRPERSON. Yes, the Honorable Marcoleta.

REP. MARCOLETA. May I offer a counter manifestation, Mr. Chair.

THE CHAIRPERSON. Later po. One minute na lang po siya and then I will...

REP. MARCOLETA. Kasi baka makalimutan iyong continuity ng inflow ng discussion, I'd like to ask only, Mr. Chair, by way of manifestation.

Is there anybody who is questioning the power of the purse of Congress? Is there anybody who is questioning the legislative function and oversight function of Congress? Is there? Because if there is none, then we are not supposed to overextend the discussion or any manifestation because nobody is questioning that and I think nobody could question that.

Even the privilege speech of the Honorable Valeriano, I think the proper question there...the proper title is not "asserting the power of the purse". We should not assert it because that power is inherent in us. Asserting or not asserting that power is of no moment. Iyon po ay birthright. Iyon po is inherent right of Congress.

And let me make of record, the Office of the Vice President, to my mind, did not undermine, did not undermine the power of the purse. When she personally came in the first hearing and presented herself including the budget by way of a PowerPoint presentation, she made a presentation, Mr. Chair, and after that, she made a categorical statement that she...she said, "I forego...Madam Chair, I forego my opportunity to defend the budget of the Office of the President *(Office of the Vice President)*, by way of question-and-answer. And instead, I leave it to the discretion of the House of Representatives on the decision...to decide on the proposal, as presented." This is a very respectful answer.

Mr. Chair, I did not find any offensive remark in that particular statement. She gave the entire House of Representatives the entire discretion and the entire right to decide on the proposal she presented before us. Why would we blame her for saying that she disrespected Congress? No, Sir. I think it was triggered by the fact that questions were asked in relation to the confidential and intelligence funds. To my mind, Mr. Chair, this particular funds were subject to a Notice of Disallowance. But the Notice of Disallowance, by its nature, by its very nature, Mr. Chair, is contestable. It is appealable. It is yet to be explained. And initially, as explained by the representative of COA, the Notice of Disallowance suffered by way of supporting documents, by way

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of non-compliance with certain requisites. What if the Vice President is able to provide all the supporting documents? What if, finally, she is able to come up with the requisites required in order for you to consider that all these funds are…eventually are allowable and they are not disallowed. And, chances are, she may be able to do that.

Hindi po final judgment ang Notice of Disallowance. As a matter of fact, based on COA's own representation the other day, the Vice President received the Notice of Disallowance only on August 24, 2024, which means, Mr. Chair, the Vice President has six months within which to reply and make an answer. That is correct, Madam COA. So, six months is up to February 2025. We should give her all the allowance. We should give her the time because six months is six months. So, why are we rushing to make a judgment?

As a matter of fact, as I have already initiated earlier, Mr. Chair, when you said that anything we can discuss in this Committee provided it is of public interest. And you said that intelligence funds and confidential funds are public interest. But I said, because of our own rules, we should make a prior and preliminary determination that is directly and principally connected to malfeasance, misfeasance, or nonfeasance. We have not made that determination. How can we now begin questioning whether or not the intelligence funds covered by an initial Notice of Disallowance is already directly and principally connected with nonfeasance, or misfeasance, or malfeasance?

Madam COA, how many agencies of government today are subjected to Notice of Disallowance? Do you have a number?

REP. LUISTRO. Chair…

REP. MARCOLETA. How many agencies today…

REP. ROMEO M. ACOP. Mr. Chair.

REP. LUISTRO. …with all due respect to the Honorable…

REP. ACOP. Point of order, Mr. Chair.

THE CHAIRPERSON. Before I…

REP. MARCOLETA. But that is a question I will leave…

THE CHAIRPERSON. Yes.

REP. MARCOLETA. …and I will terminate my manifestation, Madam…

THE CHAIRPERSON. Yes, but I will…I would like to respond…

REP. LUISTRO. I believe, Mr. Chair, that this is still my time.

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THE CHAIRPERSON. Yes. But I would like to respond to your manifestation, Congressman Marcoleta. Let me...

REP. ABANTE. Parliamentary inquiry, Mr. Chair. Parliamentary inquiry.

THE CHAIRPERSON. What is the parliamentary inquiry of the Honorable Abante?

REP. ABANTE. I would like to ask the Honorable Marcoleta, is he rebuking this Committee?

REP. MARCOLETA. What is the question, Mr. Chair?

REP. ABANTE. Are you rebuking this Committee?

REP. MARCOLETA. Why am I supposed to rebuke the Committee? I am not.

REP. ABANTE. You have been saying things for a while.

REP. MARCOLETA. What?

REP. ABANTE. You have been rebuking this Committee.

REP. MARCOLETA. You're saying that.

REP. ABANTE. We are not...We are not blaming the Vice President on this.

REP. MARCOLETA. I asked a question.

REP. ABANTE. Honorable Marcoleta, we are not blaming the...

REP. MARCOLETA. I asked a question. You do not have the right to...

REP. ACOP. I move to suspend, Mr. Chair.

THE CHAIRPERSON. One minute suspension is declared by the Chair.

REP. ACOP. Move to suspend.

Suspension: 1:06 p.m.

Resumption: 1:09 p.m.

THE CHAIRPERSON. Hearing resumes.

Before I recognize the Honorable Congresswoman Luistro, let me first respond to the manifestation of the Honorable Marcoleta.

Let me cite Section 4...Rule IV, Section 1, last paragraph which provides that the filing or a pendency of a case before any court...

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THE CHAIRPERSON. (Continuing)...before any court, tribunal, quasi-judicial, or administrative body shall not stop or abate any inquiry conducted to carry out a legislative purpose." What we are doing right now is we are doing our mandate. This is...this hearing is in aid of legislation. So, wala pa naman po tayong inaakusahan dito. The fact that the issue is still with COA and still pending appeal, it does not stop this Committee from conducting an inquiry, in aid of legislation, to conduct or to carry out our legislative purpose. So, iyon lamang po.

With this, I would like to give the—ilang minuto pa po?

THE ACTING COMMITTEE SECRETARY. One minute.

THE CHAIRPERSON. Ma'am, you still have one more minute.

REP. LUISTRO. Mr. Chair, in response to the Honorable Marcoleta, this Representation did not say that the OVP is questioning the power of the Congress. However, Mr. Chair, I wish to state for the record, how else will you interpret her refusal to answer? How else will you interpret her refusal to take an oath? I think, Mr. Chair, the only reasonable interpretation on our gestures is that, she refused to participate in the investigation or inquiry, in aid of legislation, that we are conducting.

Secondly, Mr. Chair, about the notice of disallowance, we take cognizance of the fact that this is not yet final and executory. As a matter of fact, the COA commented that the OVP has a period of 180 days equivalent to six months to solicit, to make an appeal for the purpose of seeking for a possible reversal of the ND. However, Mr. Chair, kapag ba may ND bawal na bang malaman ito ng publiko? Kapag ba may ND, bawal na bang imbestigahan ito? And it is on this light that I invoke that public office is a public trust and, at all times, we are accountable to the Filipino people.

In response to his comment about the possibility of the ND being reversed, I think, I made a manifestation already in the last budget briefing of the DEPED, if in the event that the ND is reversed in spite of having this inquiry already, the COA is not precluded, the COA is not prevented from sharing to the Filipino people that the OVP was able to justify and, therefore, we are reversing the ND.

In conclusion, Mr. Chair, I wish to emphasize that there is no law which prevents the Congress, which prevents the COA from this discussing, deliberating on the subject matter of the notice of disallowance.

Thank you, Mr. Chair.

Can I still have a question?

THE CHAIRPERSON. I will give you one minute.

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REP. LUISTRO. Para lang po sa understanding ng mga Filipino, puwede po bang paki-distinguish in layman's term, confidential fund from regular fund in two aspects: one is procurement; second is liquidation. Because we've been discussing about CF, confidential fund. The question is, naiintindihan ho ba tayo ng mga Pilipinong mamamayan? Now, I think, it's high time for us to explain.

COA, ano po ba ang diperensiya o pagkakaiba, confidential from regular with respect to: one is procurement; and second, is liquidation?

Thank you, Mr. Chair.

THE CHAIRPERSON. COA, any representative from COA?

Yes, Atty. Camora.

MS. CAMORA. As to the confidential fund, it refers to a lump sum amount provided to NGAs, LGUs, and COBs for their confidential expenses which expenses pertain to or are related to surveillance activities in civilian government agencies that are intended to support the mandate or operations of the agency. The audit of the confidential fund is based on the...

REP. LUISTRO. Can we explain on the process of procurement or disbursement? You said it is a lump sum fund. May procurement process po ba kapag confidential fund?

MS. CAMORA. Since it involves confidential activities...

REP. LUISTRO. There is none?

MS. CAMORA. ...there is no, no procedures on procurement.

REP. LUISTRO. No compliance to Procurement Law is necessary for confidential fund?

MS. CAMORA. Yes, Madam Chair.

REP. LUISTRO. There is no posting, there is no bidding, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. LUISTRO. And with respect to the regular fund, we have to comply? In other words, the law on procurement and bidding has to be followed, tama po?

MR. TOMAWIS. Good morning, Mr. Chair.

Yes po, tama po.

REP. LUISTRO. Yes. Now, let's go to liquidation. Ano pong diperensiya ng confidential fund with the regular fund in terms of liquidation?

MS. CAMORA. Mr. Chair, iyong sa liquidation ng confidential fund is provided for under the joint circular, so hindi po necessary na sinusunod namin iyong sa regular fund.

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REP. LUISTRO. And in summary and in layman's term, Ma'am, how...how do you...how do you make it more understandable for the Filipino people pagdating ng liquidation? Distinguish natin, CF from regular fund.

MS. CAMORA. Mr. Chair, sa liquidation po ng CF, kung ano po ang required ng joint circular na documents to be submitted, iyon po iyong kailangan nilang i-submit, otherwise, deficient iyong liquidation nila.

REP. LUISTRO. Which is less compared to the regular fund?

MS. CAMORA. Yes, Madam Chair.

REP. LUISTRO. Way less than the requirements for the liquation of regular fund?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. In short, Madam Chair, Mr. Chair, ano po ba iyong mga requirements sa regular fund for purposes of liquidation na hindi ninyo hinihingi sa confidential fund? In brief lang po.

MS. CAMORA. Sorry, Mr. Chair, I am only aware of the requirements ng sa confidential. So, may I ask the help of ano...

REP. LUISTRO. Mr. Chair, may I just manifest my request that I hope to hear a very clear explanation from the COA...

THE CHAIRPERSON. Maybe we can...

REP. LUISTRO. ...on our next hearing.

THE CHAIRPERSON. Maybe...No. Maybe we can address that question to the State Auditor, Attorney...

REP. LUISTRO. Yes, Mr. Chair.

THE CHAIRPERSON. ...Tomawis. Would you like to respond to the query of the Honorable Luistro?

MR. TOMAWIS. Mr. Chair, for the information, for the regular fund, for the liquidation of regular fund, it is subject to the COA circular wherein there's a documentary requirements required to be submitted. Then for the confidential fund, I have no exact information because it is based on another joint circular. So, there are two circulars to be required, to be complied with the COA circular, which the documentary requirements for regular audit or for the regular transactions and for the confidential funds, there is the joint circular that must be complied with.

REP. LUISTRO. Mr. Chair, with all due respect to the COA, the Representation is not satisfied with the answer. So, may I request for a better and clear explanation on how we distinguish CF from regular fund in terms of procurement, that is one; and in terms of liquidation, that is two.

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We will be looking forward, Mr. Chair, to listening to the discussion and explanation of the COA on our next hearing.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. ACOP. Mr. Chair. Mr. Chairman.

THE CHAIRPERSON. The Honorable Vice Chair Acop.

REP. ACOP. May I just ask some clarification which is connected with the questions of the Honorable Luistro.

THE CHAIRPERSON. With the indulgence of the Honorable Dionisio, please proceed.

REP. ACOP. Thank you, Mr. Chair.

May I know from COA or from DBM, doon po sa mga GAA natin magkahiwalay po iyong provision ng intelligence at saka confidential funds, 'di po ba? Would you agree with that?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. So, bakit po magkaiba? Bakit may separate provision iyong intelligence fund, may separate provision iyong confidential fund?

THE CHAIRPERSON. Atty. Camora, please respond.

MS. CAMORA. Mr. Chair, sa GAA din po iyong difference, actually, po, which is ang intelligence fund po ay for the...refers to those intelligence information gathering of uniformed and military personnel and it has something to do with national security. While sa confidential expenses, it's for the civilian government po.

REP. ACOP. Specifically for what?

MS. CAMORA. That are intended to support...

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MS. CAMORA. (Continuing)...intended to support the mandate or operations of the agency.

REP. ACOP. May I know if they are also required to submit reports of the utilization of these funds?

MS. CAMORA. Intel funds po, Mr. Chair?

REP. ACOP. Both funds.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. To whom should they submit reports regarding their utilization?

MS. CAMORA. Mr. Chair, as to the confidential funds, they are... they need to submit to the...for NGAs, to the President of the Philippines, the Senate President, and the Speaker of the House of Representatives and to other agencies, to the Department Secretary.

As to the intel fund, they submit their accomplishment report to the President of the Philippines.

REP. ACOP. Now, may I know what agency would look after the reporting of such? Sino po ang tumitingin kung ito'y nako-comply because I think this is part of the GAA and the GAA is a law?

MS. CAMORA. Mr. Chair, it is part of the required documents that they have to submit.

REP. ACOP. Sino po ang tumitingin na dapat nako-comply ang mga ito? Which agency of government? Kasi lahat po ng GAA may provision tungkol sa intelligence fund at saka confidential fund. It is always part of the GAA regarding provisions for the utilization of such. 'Di po ba? Sinabi ninyo it is also ... it is required they should submit reports. But who looks after the compliance of this, the agencies concerned?

MS. CAMORA. Is it not the audit of the COA po?

REP. ACOP. Is it also not the jurisdiction of DBM?

MS. CAMORA. Mr. Chair, I think if it is on the utilization of funds, it is more on the COA.

REP. ACOP. Kaya nga po, it refers to intelligence and confidential funds. May reportorial requirements po ito. Now, who looks after the compliance of such?

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MS. CAMORA. Mr. Chair, kung iyong sa liquidation po, sa COA po siya napupunta, iyong reports po. And then iyong sa reporting agencies, it is the accomplishment report po of the intel of confidential fund.

REP. ACOP. Kayo po ang nagsabi kanina na iyong confidential fund, the reports must be made to the President of the Republic of the Philippines, doon po sa Senate President, representing the Senate, at saka iyong the Speaker of the House, representing the House. So, how do you determine whether this is complied with?

MS. CAMORA. Part of the... part of the required documents is a proof of submission to the above agencies

REP. ACOP. So, kayo?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Kayo pala ang may jurisdiction nito na nagsa-submit sila ng mga reports in compliance with the provisions of the GAA?

MS. CAMORA. Yes, Mr. Chair. Kaya po it is one of the required documents, iyong proof po of submission.

REP. ACOP. Nagpakalayo-layo pa tayo, Madam, kayo pala, eh.

Thank you, Mr. Chair.

THE CHAIRPERSON. The Honorable Senior Deputy Speaker...

REP. AURELIO "DONG" D. GONZALES, JR. Thank you, Mr. Chairman.

THE CHAIRPERSON. ... is recognized for his manifestation.

REP. A. D. GONZALES. Thank you, Mr. Chairman. Thank you, Mr. Chair, and fellow Members of this 19th Congress and this Good Government and Public Accountability.

As an Ex-Officio Member of this Committee on Good Government and Public Accountability, please permit me the liberty to state that the legislative inquiry undertaken by this Committee forms an integral part of its power to conduct legislative inquiries in aid of legislation. And, in this case, as it relates to the exercise of the power of the purse of Congress itself.

The Vice President, as an invited resource person, unfortunately, refused to take an oath to tell the whole truth and nothing but the truth before this Committee. We have allowed the same only in this particular instance in deference and with utmost respect to the Office of the Vice President.

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Mr. Chairman, we also underscore that refusal to take an oath before this Committee or any legislative hearing in Congress should not be considered as a precedent as it goes against the power of Congress to conduct legislative inquiries under Article VI, Section 21 of the Constitution, and as discussed in the case of Arnault versus Nazareno. This power of inquiry is co-extensive with the power to legislate.

That is all, Mr. Chairman. Thank you.

THE CHAIRPERSON. Thank you.

The Honorable Valeriano is... before I recognize the Honorable Marcoleta, just a quick manifestation with the indulgence of Honorable Marcoleta, quick manifestation of the Honorable Congressman Valeriano. You are recognized.

REP. VALERIANO. Thank you, Mr. Chairman.

And in relation to the manifestation of Senior Deputy Speaker Gonzales, ito pong Committee hearing natin ay initial deliberation and preliminary determination of my privilege speech last September 3.

Partly noong speech ko po, and I quote again, "Hindi pera ng Pangalawang Pangulo ang Office of the Vice President's budget para sa 2022, 2023, 2024, at 2025, pondo ng bayan iyan." At iyong iba po, "Pagkakataon na sana niyang patunayan sa Kongreso at sambayanan kung sino ang naging beneficiary ng kanyang mga socio-economic programs."

At doon po inilagay ko rin sa kanilang 2025 budget proposal mayroong 977,615 beneficiaries at mayroon ding 793 strategic partnership noong 2023.

Ako po ay natuwa kanina sa pagdating ni Vice President dahil ang buong akala ko ay masasagot niya iyong katanungan ko sa privilege speech. Subalit sa pagtanggi niya po sa pag take ng oath at halos hindi niya rin po sinagot ay nakakalungkot din po. At asahan po ninyo na kung sakali man na maging maayos ang kinalabasan ng COA findings, ako po ay nakahanda ulit na tumayo at magsalita ulit kung anuman ang magiging rekomendasyon ng Commission on Audit.

Salamat po, Mr. Chairman.

THE CHAIRPERSON. Thank you.

The Honorable Marcoleta is now recognized for his interpellation.

REP. MARCOLETA. Maraming salamat, Mr. Chair.

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Mr. Chair, sasamantalahin ko na po ang presence po ng mga kinatawan ng Commission on Audit. Gusto ko po sanang itanong mula sa kanila ano-ano pong mga opisina ng ating pamahalaan o ahensya ang pinagkakalooban po ng intelligence and confidential funds?

THE CHAIRPERSON. Attorney Camora, please respond?

MS. CAMORA. Confidential funds are given to NGAs, to LGUs, and some GOCCs po.

REP. MARCOLETA. If you can elaborate, Madam representative, ano po... sino po sa mga LGUs ang binibigyan po ng intelligence and confidential funds?

MS. CAMORA. Sa LGUs po, depende po sa LGU... sa POP po nila, Mr. Chair.

REP. MARCOLETA. Hindi po ba iyong mga opisina ng mayor ay nakakatanggap ng intelligence and confidential funds?

MS. CAMORA. As long as it is part of their budget...

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MS. CAMORA. (Continuing)...their budget, Madam Chair, ay, Mr. Chair.

REP. MARCOLETA. Kaya nga po tinatanong ko sa inyo. Kayo po ang nakakaalam kasi kung sino-sino sa kanila. Karaniwan po iyong opisina ng mayor nakatatanggap po. Maaaring hindi lahat ngunit nakatatanggap po, basically, iyong opisina ng mayor. Tama po?

MS. CAMORA. According to the joint circular po, LGUs whose peace and order is a priority concern, sila po usually iyong nag-a-allocate ng confidential funds.

REP. MARCOLETA. Kaya nga po. Base po sa record ninyo, may mga mayors po, opisina ng mayor na nakatatanggap ng confidential and intelligence funds kasi po kayo ang nag-o-audit, eh.

MS. CAMORA. Yes po, Mr. Chair.

REP. MARCOLETA. Para hindi na tayo magtagal, ganoon lang kasi. Pati po opisina ng gobernador nakatatanggap din po ng ganoong klaseng pondo, hindi po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Iyon pong PNP nakakatanggap po?

MS. CAMORA. Intelligence fund po sa PNP.

REP. MARCOLETA. Opo. Iyong AFP nakakatanggap po?

MS. CAMORA. Yes po, Mr. Chair.

REP. MARCOLETA. Ang Opisina po ng ating Pangulo ay nakakatanggap po ng intelligence funds?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Ngayon po, sa mga...karamihan po ng opisina ng mayor at opisina ng gobernador or alin pang mga LGUs na maaaring makatanggap nito, depende sa kanilang pangangailangan, iyong AFP at saka iyong ating kapulisan at ang ating opisi...ang Opisina po ng ating Panguluhan, masasabi po ba ninyo na mayroong naisyuhan po ng Notice or Notices of Disallowance sa napakaraming opisina na tumatanggap ng ganitong pondo?

MS. CAMORA. Mr. Chair, pagka...mayroon naman pong mga ibang agencies nakakatanggap ng NDs.

REP. MARCOLETA. Kaya nga po, eh, gusto ko pong malaman. Halimbawa, 2022 at saka 2023, ballpark figures lang po, ilan po sa mga official...ah, sa mga opisina ng mayor na nakatanggap ng confidential or intelligence funds ang subjected to Notices of Disallowance? Ilan po sa opisina ng gobernador, ganoon din po iyong

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tanong, at saka sa iba't-ibang mga opisina pa? Para malaman lang natin, kahit ballpark figures lang, ilan po iyong na-issue ninyo na na Notices of Disallowance concerning these types of funds?

MS. CAMORA. Mr. Chair, wala po kaming data on the said information today because we are...we only have data on the OVP po. I cannot give an exact number for today.

REP. MARCOLETA. Bakit po? Kasasabi ninyo lang na mayroon din kayong sinabdyek (*subject*) sa Notice of Disallowance, eh. Bakit po iyong opisina lang ng OVP ang mayroon kayong record?

MS. CAMORA. Iyong hawak po namin ngayon, Mr. Chair, since ito po iyong subject ng inquiry, we are prepared as to the OVP. Pero as to other agencies...

REP. MARCOLETA. O, sige po, ganito na lang. Mayroon po ba kayong estimated na bilang nang na-issue ninyo na? Kayo po kasi kapag intelligence and confidential funds, kayo po iyong auditing unit, ang nakatoka para tingnan po ang pagkakagasta ng tipo ng pondong ito. Tama po?

MS. CAMORA. Tama po, Mr. Chair.

REP. MARCOLETA. Okay. Makapagsasabi po ba kayo ng estimated number, ito po kinabibilangan ng opisina ng mayor, ng gobernador, ng ISAFP, ng kung ano-ano, ng...siguro po maski National Intelligence Security Council, AFP, ang kapulisan? Can you provide us a ballpark number of the Notices of Disallowance that your office has initially issued?

MS. CAMORA. Mr. Chair, I cannot give you a ballpark figure now since hindi naman po ako involved sa entire ICFAO, so...

REP. MARCOLETA. Wala po bang isa sa inyo na nakaupo ngayon sa aming harapan ang makapagbibigay man lang ng estimated number? Napakarami po ng mayor, napakarami po ng gobernador.

MS. CAMORA. Precisely, Sir, kaya sa ibang division wala po akong...

REP. MARCOLETA. Puwede ba nating sabihing 100 or 500 Notices of Disallowance?

MS. CAMORA. I cannot say po, Mr. Chair.

REP. MARCOLETA. How can you help us? We are supposed to be doing this in aid of legislation. Kaya namin kayo pinatawag para tulungan ninyo kami.

MS. CAMORA. Mr. Chair...

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REP. MARCOLETA. Ang sabi po ng jurisprudence, which was quoted by no less than the former Chief Justice of the Supreme Court Reynato Puno, quoting various jurisprudence kasama na po iyong Arnault versus Nazareno. "There should be a legislative purpose," that's number one requirement. The number two requirement, "There should be pertinency in relation to those legislative purpose."

THE CHAIRPERSON. Congressman Marcoleta...

REP. MARCOLETA. Kaya po tinatanong ko...

THE CHAIRPERSON. ...you have one minute.

REP. MARCOLETA. Tinatanong ko po ngayon, gaano karami? O, sige, ganito na lang. Marami ba ang na-issue ninyo po na Notices of Disallowance in connection with these types of funds?

MS. CAMORA. Sir, I really cannot give an exact number today.

REP. MARCOLETA. Hindi nga. Sabihin mo lang, marami?

THE CHAIRPERSON. Attorney...

REP. MARCOLETA. Medyo marami?

THE CHAIRPERSON. Atty. Camora, could you please submit the documents that the Honorable Marcoleta is requesting?

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. Kasi sa ngayon bago ako magtapos, Mr. Chair.

THE CHAIRPERSON. As to the numbers.

MS. CAMORA. Yes, Mr. Chair.

REP. MARCOLETA. I want to wind up now.

THE CHAIRPERSON. Yes. Please wind up.

REP. MARCOLETA. I want to wind up now. Can you...at least, sabihin mo lang, marami, medyo marami? Pati ba naman iyon hindi mo...ang dami po nating mayor dito sa buong Pilipinas, ang daming gobernadora, pati kapulisan, ISAFP, AFP. So, sabi mo kanina, marami na-cover ng...magka...ilan ba?

MS. CAMORA. Madam Chair, kung iyong current year, I can answer na konti lang po.

REP. MARCOLETA. O, iyong naka...on the average noon? Iyong, halimbawa, 2020, 2021, 2022, by way of your experience, by way of your former data?

MS. CAMORA. Previous years po, I cannot say since bago lang po ako sa ICFAO, so we could just provide you po with the documents.

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THE CHAIRPERSON. Please wrap up. One last question, Congressman Marcoleta.

REP. MARCOLETA. What about to the other members of the Commission on Audit? Through your experience, let's say, in the last 10 years, wala kayong maibibigay? Alam po ninyo kung bakit ko tinatanong ito? Kung marami po kayong na-issue, at alam ko marami talaga, na Notices of Disallowance, eh, papuntahin natin dito lahat. Hindi lang ang Office of the Vice President ang dapat umupo dito. Lahat na po nang inisyuhan (*issue*) ninyo ng Notices of Disallowance must sit here para makagawa po kami ng mas maganda, mas balanse na batas kung ang pag-uusapan po ay ang paggamit nitong intelligence funds. Do you understand, Madam?

MS. CAMORA. Yes, I understand po the question. However...

REP. MARCOLETA. So, the Committee is expecting to receive the number as well as the pertinent records pertaining to the issuance of Notices of Disallowance to the municipal mayors, governors, the PNP, the AFP, and such other agencies who are recipients of intelligence and confidential funds, because later on we will also summon them and sit with us.

THE CHAIRPERSON. Congressman...

REP. MARCOLETA. Thank you, Madam Chair, ah, Mr. Chair.

THE CHAIRPERSON. Congressman Marcoleta, you cannot move because you are not a Member of this Committee.

REP. MARCOLETA. It's good that you have raised that, Mr. Chair. I am the Vice Chair of this Committee. On September 4, I was surprised because I saw the Journal that I was replaced by my Kumare. The question is, if I am replaced as Vice Chair, does that automatically mean that I am removed as a Member of this Committee?

Before you answer that, Mr. Chair, I think I need some legal basis before you answer that.

THE CHAIRPERSON. Yes. Your removal from the vice chair, you were removed in a Plenary session, House Rules. Now, under Section 28 of the House Rules, it provides, "That the House shall, upon the recommendation of the Committee on Rules, organize Committees, their membership, and jurisdiction." Therefore, your removal as Vice Chair and Member of the House was a Plenary action. And, therefore, it should be the Plenary who should include you as Member or as Vice Chair.

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Thank you.

REP. MARCOLETA. Mr. Chair, it was very clear that I was removed as Vice Chair; I was not removed as Member.

THE CHAIRPERSON. Because you were…you were…when you…

REP. MARCOLETA. There was…there is a distinction between being a Member and a Vice Chair. If I was removed as Vice Chair…

THE CHAIRPERSON. But your appointment as Vice Chair, you were appointed…you were not appointed as Member. Your appointment was as Vice Chair. So, hindi naman po kayo…

REP. MARCOLETA. Mr. Chair.

THE CHAIRPERSON. …in-appoint muna as Member bago kayo ginawang Vice Chair. Your immediate appointment was as Vice Chairman and, therefore, your removal as Vice Chair will remove you as Member also. Iyon po iyon. And it's a Plenary action, the Committee has nothing to do with it.

REP. MARCOLETA. That is your opinion, Mr. Chair, but I am expecting that some kind of a basis…

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REP. MARCOLETA. (Continuing)...kind of a basis should be presented that upon removal of a Vice Chair, that automatically also removes him as a Member of that Committee. That's all I am asking, Mr. Chair.

REP. VALERIANO. Point of order, Mr. Chairman.

THE CHAIRPERSON. Oo. The...We have already answered the manifestation or the inquiry of the Honorable Marcoleta.

Next to interpellate is...

REP. PADUANO. Mr. Chairman. Mr. Chairman.

THE CHAIRPERSON. Honorable...

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes. With the permission...With the indulgence of Honorable Dionisio, I would like to recognize the Honorable Paduano.

REP. PADUANO. Mr. Chairman, under our Rules, there is a motion for a point of order and this is one of the highest motion that should be ruled by the Chairman. So, Mr. Chairman, just a parliamentary procedure, the Chairman should recognize the person that moves for a point of order because that is one of the highest motion that should be recognized by the Chairman.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Noted. Noted.

Honorable...

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Honorable Vice Chairman Abante.

REP. ABANTE. With the indulgence of Congressman Dionisio, may I be recognized.

REP. PADUANO. Mr. Chairman...

THE CHAIRPERSON. Yes. With the...

REP. PADUANO. ...just a point of inquiry. There is a motion for a point of order and I have stated that this is one of the highest...well, in fact, second highest motion. So, the Chairman should rule on that point of order that was raised by, I think, it's Congressman Valeriano.

REP. VALERIANO. My point of order is that the Chairman already ruled na he was removed as Vice Chairman of the Committee on Good Government and Public Accountability. That's all, Mr. Chair.

THE CHAIRPERSON. It was already answered. It was already ruled, Your Honor.

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REP. PADUANO. Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you po.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. With the indulgence of Congressman Dionisio, the Chair would like to recognize the Vice Chairman Abante.

REP. ABANTE. Mr. Chair, a while ago, COA has answered the question of Congressman Romy Acop as far as the difference between an intelligence fund and confidential fund. Can you please repeat that? Mayroon bang...Mayroong pagkakaiba ang intelligence fund at saka ang confidential fund?

MS. CAMORA. Yes, Mr. Chair. Ang intel fund po, it is given to uniformed and military personnel and intelligence practitioners, and the purpose is for activities that have direct impact to national security. For confidential fund, they are given to civilian government agencies that are intended to support the mandate or operations of the agency.

REP. ABANTE. Okay. Mr. Chair, therefore, therefore, ang intelligence fund, hindi confidential fund?

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. Okay. Pero kanina, iyon pong question ni Congressman Marcoleta ay sinasabi niya palagi confidential fund or intelligence fund. Am I right?

MS. CAMORA. They are separate po.

REP. ABANTE. O, therefore, hindi po masyadong naintindihan ni Congressman Marcoleta iyong katanungan niya sapagkat kanyang pinareho ang confidential fund at ang intelligence fund. Now, gusto kong itanong, Mr. Chair, 'no, sinabi niya kanina...sinabi mo na mayroong confidential fund ang mga mayors and governors, 'di ba?

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. Intelligence fund, mayroon ba silang intelligence fund?

MS. CAMORA. Generally, wala po since hindi naman po sila uniformed personnel.

REP. ABANTE. Okay. Malinaw, Mr. Chair, na walang intelligence fund ang mga gobernador at mga mayor pero mayroong confidential fund. Iyon po ba? Tama ba ako?

MS. CAMORA. Tama po, Mr. Chair.

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REP. ABANTE. Okay. Iyong mga vice mayor at vice governor, mayroon ba iyang intelligence fund o confidential fund? Mayroon ba silang confidential fund, ang vice mayor at vice governor?

MS. CAMORA. Actually, Sir, it's per…per agency po. So, if, for example, ma-designate na SDO ang vice, puwede po siyang mabigyan.

REP. ABANTE. Ano iyon? Ano iyon?

MS. CAMORA. Per…It's per agency po.

REP. ABANTE. If he is designated…

MS. CAMORA. If he is…

REP. ABANTE. …as mayor. Correct?

MS. CAMORA. As SDO po, as SDO.

REP. ABANTE. O. Ibig sabihin, if the vice mayor is designated as mayor, magkakaroon siya. Correct?

MS. CAMORA. As mayor po? As SDO po.

REP. ABANTE. Anong SDO?

MS. CAMORA. Special Disbursing Officer.

REP. ABANTE. Special Disbursing Officer.

MS. CAMORA. Yes.

REP. ABANTE. Eh, kung hindi, wala siyang confidential fund?

MS. CAMORA. Yes…

REP. ABANTE. O, therefore, therefore, regularly, walang confidential fund ang vice mayor at ang vice governor.

MS. CAMORA. Yes.

REP. ABANTE. Ayan. Katulad din po iyan ng Pangulo. Ang Pangulo, dapat magkaroon ng confidential fund. Tama ho ba ako?

MS. CAMORA. Kung based sa GAA po, tama po.

REP. ABANTE. Opo. Pero ang Vice President, hindi kinakailangang magkaroon ng confidential fund. Am I right?

MS. CAMORA. Not…

REP. ABANTE. Am I right? Not necessarily, correct, following my question on the line of questioning that I have with the vice governor and the vice mayor?

MS. CAMORA. Sa NGAs po kasi, Sir, express…what is expressly provided…

REP. ABANTE. Oo.

MS. CAMORA. …in the GAA, in the GAA po.

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REP. ABANTE. Then, normally, normally, katulad ng...I am just...I am just following the question I have asked, 'di ba? Sabi mo kanina, iyong vice governor at iyong vice mayor, normally, wala iyang confidential fund. Correct?

MS. CAMORA. Yes, Madam...Mr. Chair.

REP. ABANTE. Unless otherwise, they have been designated as what?

MS. CAMORA. As SDO, Mr. Chair.

REP. ABANTE. SDO. Okay. Ganoon din naman ang Pangulo at ang Vice President. Correct? O, kung iyong Vice President designated din na ganiyan, mayroon siyang confidential fund. Am I right?

MS. CAMORA. Mr. Chair, what we only know is whoever is given confidential funds in the GAA can use the confidential funds.

REP. ABANTE. Siguro, ang DBM puwedeng makasagot niyan.

Usec, puwede mo bang sagutin ito?

MR. TOLEDO. Yeah. Mr. Chair...

THE CHAIRPERSON. Usec. Toledo, you are recognized.

MR. TOLEDO. Yeah, yeah. Thank you, Mr. Chair.

So, there is a provision in the GAA kung sino iyong...nabigyan po natin ng confidential fund which is basically na-identify doon sa bawat GAA po natin. For example po, for 2023, nabigyan po natin ng ano ang mga ahensiya ng gobyerno ng confidential fund—from OP, tapos doon sa Office of the Vice President at mayroon din sa DA, mayroon din sa DEPED, may DENR ho. So, all the way po, may listahan po tayo ng confidential funds na binibigyan natin sa bawat ahensiya.

REP. ABANTE. Iyong...Iyon po bang binigay nating confidential funds sa Vice President, is that normal? Is that a normal procedure? Is that a normal procedure or not? O ito lang ang kahilingan? Kahilingan lang po ito?

MR. TOLEDO. There were releases po natin in the previous administration even, Mr. Chair. So, I think part of it, at may request po sila, so we provided them.

REP. ABANTE. Kahilingan, request, 'di ba?

MR. TOLEDO. Yes, Mr. Chair.

REP. ABANTE. But it is not normal procedure. Si Vice President Leni po ba mayroon siyang confidential fund, Vice President Leni Robredo? Nagkaroon ba siya ng confidential fund, o hindi siya humiling?

MR. TOLEDO. I will check, Mr. Chair, of the data we have, all right, for a while.

REP. ABANTE. Iyong ibang naging Vice President, for example, like Vice President "Kabayan" Noli De Castro, mayroon po bang confidential fund?

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MR. TOLEDO. Yeah. As...Mr. Chair, as far as for the Vice President Leni Robredo, wala pong confidential fund po...

REP. ABANTE. Ayan, wala.

MR. TOLEDO. ...na binigay natin.

REP. ABANTE. Vice President De Castro, wala din, 'di ba?

MR. TOLEDO. I think wala rin po.

REP. ABANTE. Vice President Doy Laurel, wala rin?

MR. TOLEDO. If I...That's too long. Wala...sorry.

REP. ABANTE. Hindi pa kayo...Batang-bata pa kayo noon.

MR. TOLEDO. Wala pa ako...wala pa...Yes, Mr. Chair. Sorry for that. Pero, yes, Mr. Chair. Probably, from the previous administration, lately, as mentioned, si Vice President Leni Robredo, wala pong confidential fund.

REP. ABANTE. Therefore, Usec. Toledo...Taga-saan po kayo, Toledo?

MR. TOLEDO. Sir, I'm from Region I, North.

REP. ABANTE. Ha?

MR. TOLEDO. North. Region I po ako.

REP. ABANTE. Region I.

MR. TOLEDO. Yes, Sir.

REP. ABANTE. Sa Ilocos?

MR. TOLEDO. Pangasinan, Sir.

REP. ABANTE. Ha? Saan...

MR. TOLEDO. From Pangasinan, Mr. Chair.

REP. ABANTE. Pangasinan.

MR. TOLEDO. Yes, Sir.

REP. ABANTE. O, eh, baka kamag-anak kayo ng misis ko. Toledo ang misis ko, eh, taga-Pangasinan din.

THE CHAIRPERSON. Please wrap up, Congressman Abante.

REP. ABANTE. O, hindi. Tinatanong ko lang. Tinatanong ko lang. Baka kamag-anak ko ito, eh. Okay. Teka lang. Mayroon pa akong tanong sandali, eh.

REP. PADUANO. Mr. Chairman.

REP. ABANTE. So, therefore, therefore, Mr. Chair, it is not a normal procedure for the Vice President to have confidential funds because...because the previous vice presidents did not ask for any confidential fund. Mr. Chair, that is what I am trying to say. So, therefore, this is just a request from the Vice President. And

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being...being a very courteous DBM, you have given the Vice President confidential fund. Because if that is normal procedure...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. ABANTE. (Continuing)...normal procedure, and according to law, you should have given already confidential fund to the Vice President now, hindi ba, tama ba ako?

MR. TOLEDO. Yes, Mr. Chair, you're right.

REP. ABANTE. Ayon. O, gusto ko lang pong malaman, Mr. Chair, ng taong-bayan natin na hindi po normal procedure na magkaroon ng confidential fund ang Vice President sapagkat iyong mga previous na Vice President ay hindi po nagkaroon ng confidential fund. Ito po ay kahilingan lamang. Kaya ang tanong natin dito, bakit kinakailangan na magkaroon ng confidential fund and Bise Presidente? Tulad po ng tanong ni Congressman Marcoleta, wala na po siya rito, ha, iyong mayor, iyong governor, maaaring okay iyon. Pero iyong vice mayor at iyong vice governor, eh, normally, wala.

Iyon lang po, Mr. Chair. Maraming salamat po.

THE CHAIRPERSON. Thank you.

Before I recognize Congressman Pao Ortega, I would just like to make a short manifestation.

That is precisely the reason and the purpose of this Committee hearing because this is in aid of legislation. Now, we are seeing loopholes sa mga batas po natin kaya nga po ginagawa po natin ito so that we will be able to draft or enact laws that will help us set certain parameters with respect to this issue. Kasi ngayon lang po natin nakikita ito, eh.

So, with that, the Honorable Ortega is recognized.

REP. ORTEGA. Okay. Thank you, Mr. Chair.

THE CHAIRPERSON. Of course, with the indulgence of Congressman Dionisio. Yes.

REP. ORTEGA. Okay daw.

THE CHAIRPERSON. Please proceed.

REP. ORTEGA. Thank you, Mr. Chair.

I would just like to include for the consumption of the Committee, Mr. Chair, and for the Honorable...and the questions from the Honorable Abante, and to your point and manifestation, Mr. Chair, we do agree na kaya nga po natin tinitingnan ito dahil nagkakaroon po ng mga problema saka loopholes iyong batas na nagagawa.

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So, for the year 2000, 5.1 million under Vice President Gloria Macapagal-Arroyo; 2002, 5.1 million under Teofisto Guingona, Jr; 2005 to 2010, 6 million under Vice President Noli De Castro; 2011 under Vice President Jejomar Binay; 2016 to 2022 under VP Leni Lobredo, zero; and under the current Vice President, Mr. Chair, 2023 is 500 million, Mr. Chair.

Thank you.

REP. ABANTE. Mr. Chair, may I be recognized?

THE CHAIRPERSON. Congressman Abante.

REP. ABANTE. Now, I do realize that it is upon the power of Congress to give, allow confidential fund, it is not a power of DBM, correct, upon the power of Congress. Therefore, the Vice President should still be thankful that she was given a confidential fund by the power of Congress. Iyon po iyong gusto kong sabihin din sa inyo.

THE CHAIRPERSON. Thank you.

The Chair... the Chair would like to recognize the Honorable Dionisio for his interpellation.

REP. ERNESTO M. DIONISIO. Mr. Chair, sa wakas daw po. Hindi, tatanong ko lang po kasi kung bakit napakaginaw dito ngayon. Hindi, Mr. Chair, biro lang.

Marami pong salamat, Ginoong Taga-Pangulo, sa pagkakataon na makapagtanong ng konting clarificatory questions.

Naalala ko lang si Ma'am sa COA. Ma'am, magandang hapon po sa inyo. Kayo po iyong nakatabi ko last time doon sa nakaraang hearing. It's a pleasure to meet you again everyone, sa ating mga resource speakers from COA.

Meron lang po akong konting katanungan. If you could enlighten this humble Representation, Ma'am, regarding po doon sa procurement process na ginagawa natin sa pag-acquire dito sa Office of the Vice President or procurement process in general, ano po ba iyong mga steps? Briefly lang, Ma'am. Ano po ba iyong mga steps na dinadaanan ng mga bidders?

MS. CAMORA. May I ask the help of our ATL since wala pong procurement sa confidential fund?

THE CHAIRPERSON. Yes, Usec. Toledo.

REP. DIONISIO. Kahit sino po.

THE CHAIRPERSON. Usec Toledo, could you please respond to the query of the Honorable Dionisio?

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MR. TOLEDO. May I request po, Mr. Chair, of the…your question or query, Mr. Chair.

REP. DIONISIO. Yes, Mr. Chair. I was just simply asking very briefly, ano po ba iyong proseso ng pag…procurement process, very briefly, dinadaanan ng isang bidder?

MR. TOLEDO. Okay. Based doon sa rule po natin sa 9184 po, siyempre po ang procurement po natin ay dumadaan lahat…normally is through bidding process po siya wherein, of course, the bidders, contractors will have to go and submit their bidding documents and that it will be processed and evaluated by the BAC po. That's initially the process po.

REP. DIONISIO. Meron pong ano iyan, hindi ba, ang doon iyong pre-bid conference?

MR. TOLEDO. Pre-bid…

REP. DIONISIO. Tapos meron tayong public bidding, bid evaluation rating saka post qualification. Tama po ba?

MR. TOLEDO. Yes, Your Honor, Mr. Chair.

REP. DIONISIO. The reason why I was asking this question, Mr. Chair, para makita lang iyong… maraming steps ang dinadaanan ng ating gobyerno para mabusisi maigi iyong mga bidders na nag-a-apply sa ating gobyerno. So, maraming steps na dinadaanan po, tama po ba iyon?

MR. TOLEDO. Yes, Mr. Chair. Yes, Your Honor.

REP. DIONISIO. Opo. Iyong tanong ko lang po, I think na-mention na rin pero gusto kong malaman, categorically, sino po ba sa DEPED ang nagde-determine ng eligibility and qualifications ng isang bidder?

MR. TOLEDO. Mr. Chair, probably, it's not specific for DEPED, but there is also what we call for every agency, there is a BAC po na nagde-determine po ng qualified bidders po.

REP. DIONISIO. Ah, iyong BAC?

MR. TOLEDO. Yes po.

REP. DIONISIO. Ano po ba ibig sabihin noong BAC, Sir?

MR. TOLEDO. Bids and Awards Committee po.

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REP. DIONISIO. Ah, iyon po pala iyong BAC. Iyong important kasi na qualification po yata doon sa mga bidders, iyong kapasidad din nila kung kaya nilang magawa o ma-supply iyong mga bini-bid nila na mga kontrata, tama po ba iyon?

MR. TOLEDO. Yes, definitely, Mr. Chair. Of course, they have to check kung puwede nilang i-deliver exactly the programs or projects na bini-bid nila, Mr. Chair.

REP. DIONISIO. So, we could easily say that it should be a minimum requirement na pinakaunang pamantayan natin iyong capacity ng isang bidder na kaya talaga niya dapat i-deliver iyong bini-bid niya, tama po ba iyon, ano?

MR. TOLEDO. Yes, Mr. Chair.

REP. DIONISIO. So, kung siya minimum, ang isang dapat i-scrutinize din natin sa mga kompanya na nag-a-apply na mag-supply sa iba't ibang ahensiya ng ating pamahalaan, iyong capacity to pay. Kailangan nating ma-scrutinize iyong capital niya, tama po ba iyon?

MR. TOLEDO. Yes, Mr. Chair. The capacity na para ma-deliver niya is one of the qualifications is to look at the capacity, iyong capitalization niya kumbaga.

REP. DIONISIO. Tama. Kasi, am I correct in saying na ang capitalization ng isang kompanya hindi lamang doon kukunin iyong amount ng pag-supply niya, noong binid *(bid)* niya, kung hindi pati iyong basic operations nung kompanya, hindi po ba kasama na doon sa capitalization niya?

MR. TOLEDO. I think, Mr. Chair, kung... pati operations dapat kasama rin po doon sa capitalization niya. Pero, how to operate that corporation or the bidders or contractors, Mr. Chair,...

REP. DIONISIO. So, sa pagkaintindi ko po sa ating maiksing pag-uusap, tama po ba na dapat may kapasidad sa kapital ang isang kompanya 'pag sa pagsali sa mga bidding process sa gobyerno?

MR. TOLEDO. Yes, Mr. Chair.

REP. DIONISIO. Having said that, Your Honor, there were some information na na-receive ng inyong lingkod. I was really able to gather some information relative to the actual procurement recently entered by the DEPED. Pakisabi na lang po at paki-confirm, should you know. If not, please verify these pieces of information na ma-submit sa Committee. Unang-una, iyong Advance Solutions, Inc. Isa po ba itong kompanya na nag-apply ng bidding sa DEPED?

Sa COA na po siguro ito.

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MR. LAPITAN. Mr. Chair.

THE CHAIRPERSON. Before you proceed…

MR. LAPITAN. Sorry.

THE CHAIRPERSON. …we have yet to open the motion… the *motu proprio*. So, we have to limit our question to the Office of the Vice President. But, of course, later, after we… after we… after the preliminary determination, we can proceed. But in the meantime, we have to limit the line of questioning to the Office of the Vice President first.

REP. LARA. Mr. Chair.

REP. DIONISIO. Thank you for the enlightenment, Mr. Chair.

THE CHAIRPERSON. Yes.

REP. DIONISIO. Having heard the opinion of the Chairman, I would reserve my questions for a later time.

Thank you very much, Mr. Chair.

REP. LARA. Mr. Chair.

THE CHAIRPERSON. Yes, Honorable Lara.

REP. LARA. Yeah. A while ago po, I've manifested…

THE CHAIRPERSON. You have moved.

REP. LARA. Yeah. …on the fund utilization…

(MS. JOY S. JARA TOOK OVER)

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REP. LARA. (Continuing)...fund utilization of DEPED. I will now move, Mr. Chair, that said manifestation be put on motion that the Committee take cognizance on the issues presented on the regularity of the utilization sa paggamit ng pondo ng bayan ng naturang ahensiya upang makita natin kung mayroon bang misfeasance, malfeasance, o nonfeasance, Mr. Chair. So, I move, Mr. Chair.

THE CHAIRPERSON. So, there is a motion by the Honorable Lara to take cognizance of the *motu proprio,* upon the manifestation of Representative Gerville Luistro of the 2nd District during the budget hearing of the Department of Education, is there any...

REP. GUTIERREZ. Second, Mr. Chair.

THE CHAIRPERSON. ...objection? Seconded by the Honorable Gutierrez, hearing none, the motion is carried. Okay.

One minute...one minute suspension is declared by the Chair.

Suspension: 2:01 p.m.

Resumption: 2:27 p.m.

THE CHAIRPERSON. Hearing resumes.

The Chair would like to recognize the Honorable Caraps.

REP. PADUANO. Thank you, Mr. Chairman.

Mr. Chairman, first and foremost, I would like to manifest that if I cannot consume my five minutes in my manifestation and interpellation, can we...my name will be listed in the second round, Mr. Chairman.

THE CHAIRPERSON. Noted po.

REP. PADUANO. Thank you, Mr. Chairman.

First and foremost, Mr. Chairman, I would like to state on record my manifestation with regards to question of jurisdiction of this Committee on the inquiry, in aid of legislation, with regards to the budget of...the confidential fund of the Office of the Vice President.

Number one, Mr. Chairman, this inquiry, in aid of legislation, if this Committee is being conducted pursuant to a Plenary action. This is a Plenary action and nobody can question about it because even the most highest official in the House of Representatives cannot question the Plenary decision, 'no, during Plenary session, and it was approve during a Plenary session which emanated from the privilege speech of the Honorable Rolando Valeriano on September 3, 2024 and it was referred to this Committee even on that date.

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Now, Mr. Chairman, question of...question of jurisdiction of this Committee and question of the actions being made by the Plenary, and of course, with the Committee on Rules and then it goes back to the Plenary for the Plenary to decide whether this question or the subject matter that emanates from the privilege speech of the Honorable Valeriano is, indeed...will be referred to this Committee.

Now, again, Mr. Chairman, I would like to reiterate that, when in fact, early this morning, we have already established, 'no, by the votes of...unanimous vote of all the Members. It was established and this Committee was given the jurisdiction with regards to the confidential fund issue from the Office of the Vice President.

Second, Mr. Chairman, question of the issue...the question about the issue about jurisprudence which was cited earlier by the former President and the good Representative from Pampanga, Mr. Chairman, question of the Standard Chartered Bank and it was quoted by Madam GMA and with due respect to the former President and Madam GMA, the Standard Chartered Bank jurisprudence, Mr. Chairman, is referred to question of *sub judice*. And when, in fact, in this particular case, in this particular investigation, no such case was filed against anybody from the Office of the Vice President in a regular court, Mr. Chairman.

And again, Mr. Chairman, quoting about...it was also mentioned about the Arnault versus Nazareno case and that case, Mr. Chairman, which was...a Supreme Court decision dated on the year 1950, unless otherwise, Mr. Chairman, there is a new jurisprudence by the Supreme Court, but until now it's being used and that particular jurisprudence is being used and the decision of the Supreme Court is favorable to Congress and, in particular, to Senate questioning the contempt. The issue about the Arnault versus Nazareno is all about the powers of Congress for an inquiry, in aid of legislation, Mr. Chairman.

That's why with due respect again to the Honorable Madam President, I think the jurisprudence that was cited, in particular with this Representation, I think it cannot be invoked in the case of the Office of the Vice President.

Now, Mr. Chairman, and lastly, Mr. Chairman, when in fact, when the Vice President opted not to take her oath in this Honorable Committee and it was ruled by the Chairman favorable to the position of the Vice President, Mr. Chairman, this Committee, when in fact, gives leniency and due courtesy to her because we allow the Vice President to deliver her opening remarks and, in fact, that is on record, Mr. Chairman, and supposedly, if this Committee is not lenient and never give her the

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due courtesy to her office, we never allow her to deliver her sponsorship...because, when, in fact, we cannot even ask question to her, Mr. Chairman.

Now, Mr. Chairman, let me proceed with regards to the COA, particularly to the COA.

THE CHAIRPERSON. Please continue.

Now, Mr. Chairman, let me address this to the COA. I have with me Joint Memorandum Circular 2015-01 and this is all about...am I correct that this is all about confidential funds, tama po ba?

THE CHAIRPERSON. Atty. Camora.

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. Okay. JMC 2015-01. And I have also with me your memorandum circular in which this Representation questioned that should be revised since last year, Memorandum Circular 97-002, do you confirm it is all about special cash advances, tama ho ba? MC 97-002.

MS. CAMORA. Mayroon po, Mr. Chair.

REP. PADUANO. Are you familiar with that?

MS. CAMORA. Me, personally, Mr. Chair, hindi po.

REP. PADUANO. O, this is a Memorandum Circular 97 and this Joint Memorandum Circular 2015 and if you are not familiar with this, how can I ask question and how can you answer my questions with regards to your mandate and your responsibility with regards to this Memorandum Circular 97-002?

MS. CAMORA. Mr. Chair, as far as the confidential fund's audit is concerned, we based our audit mainly on the joint circular.

REP. PADUANO. O, of course, that's why...may I ask you, that's why I am asking you about the MC 97-002 because the first question should be raised to you if you are familiar with MC 97-002. Does Joint Memorandum Circular 2015-01 conforms or concur with your MC 97-002? Kasi ito po, lahat po dito is all about special cash advances. Mr. Chairman, how can we proceed? How can I proceed if the representative from COA...

THE CHAIRPERSON. Atty. Camora.

REP. PADUANO. ...is not knowledgeable about MC 97-002? Because requirements stipulated in MC 97-002 or the JMC 2015-01 should conform with MC 97-002. And looking at the provisions of both MC and JMC, not all, but most of the provision of such MC and JMC is in...conforms with MC 97-002.

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MS. CAMORA. Yes, Mr. Chair, because MC 97-002 is used for regular audit.

REP. PADUANO. Correct, tama?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Okay. Now, kasi hindi puwedeng magbanggaan iyon, 'di ba, tama?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Okay. Now, let me proceed.

You have a copy now with MC 97-002?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Okay. Let me first ask, who appoints the...in this case...in this case who appoints the SDO? In the case of the confidential fund of the Office of the Vice President, who is the appointing officer for the SDO?

MS. CAMORA. As to the confidential fund, it was the President.

REP. PADUANO. The President?

MS. CAMORA. It was the OVP. The Vice President, Mr. Chair.

REP. PADUANO. The Vice President. And the Vice President, as the appointing officer, signed all the documents related to the disbursement of such fund, tama?

MS. CAMORA. Yes, Mr. Chair...

(MS. THELMA M. RETUBA TOOK OVER)

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MS. CAMORA. (Continuing)... Yes, Mr. Chair.

REP. PADUANO. Okay. And, of course, the Special Disbursement Officer also signed. Tama?

MS. CAMORA. Some of the documents, Mr. Chair.

REP. PADUANO. Sandali. During disbursement, some? Bakit some? Bakit some? Kasi binigyan nga siya ng authority. She or he was appointed as the SDO by the appointing officer, and in this case, it is the Vice President.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Tama?

MS. CAMORA. Except for the liquidation, ah, transmittal letter which is by the head of agency.

REP. PADUANO. Sorry?

MS. CAMORA. Except for the transmittal letter which is signed by the head of agency, all the reports are signed by the SDO.

REP. PADUANO. Correct, except for the transmittal...

MS. CAMORA. Yes.

REP. PADUANO. ... of the agency. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. But all submission reports and everything should be signed by the SDO.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Correct. And not only the SDO, not only... in this case, the Vice President, and that includes also the accountant.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Okay. Now, can you name the Special Disbursement Officer... Disbursing Officer, in this case of the confidential fund?

MS. CAMORA. It is Miss Gina Acosta.

REP. PADUANO. It's Ms. Gina Acosta. Okay. Specifically, what is the position of Ms. Gina Acosta in the Office of the Vice President?

MS. CAMORA. Mr. Chair, our documents here only identify her as the SDO.

REP. PADUANO. So, your document only identify her as the SDO.

MS. CAMORA. SDO.

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REP. PADUANO. Okay. Mr. Chairman, with this, Mr. Chairman, I move that we invite Ms. Gina Acosta in the next hearing and, at the same time, the Office of the Vice President should submit to this Committee the official designation of Ms. Gina Acosta.

THE CHAIRPERSON. There is a motion to invite Gina Acosta from the Office of the Vice President. Is there any second to the motion?

REP. FLORES. Second, Mr.Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. PADUANO. Can I proceed, Mr. Chairman?

THE CHAIRPERSON. Please proceed.

REP. PADUANO. Thank you, Mr.Chairman.

Next, in all liquidation, all liquidation reports, the SDO should sign, the Vice President Office in this case should sign and the chief accountant should sign. Tama po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. And who is the chief accountant that signed this liquidation report?

MS. CAMORA. It is Ms. Julieta Villadelrey.

REP. PADUANO. Julieta...

MS. CAMORA. Villadelrey.

REP. PADUANO. ...Villadelrey. Mr. Chairman, again, I move to invite Ms. Julieta Del Rey, the chief accountant of the Office of the Vice President in the next hearing. So moved, Mr. Chairman.

REP. LARA. Second, Mr. Chair.

REP. FLORES. Second.

THE CHAIRPERSON. There is a motion to invite Julieta Villadelrey in the next scheduled hearing. Duly seconded by the honorable Flores. Is there any objection? Hearing none, the motion is carried

REP. PADUANO. With the permission of the Chairman, may I proceed?

THE CHAIRPERSON. Please proceed.

REP. PADUANO. Thank you, Mr. Chairman.

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Now, question of the SDO. In the joint memorandum circular and with regards to MC-97-002, the Special Disbursing Officer has to acquire a fidelity bond. Tama ho ba?

MS. CAMORA. Tama po, Mr.Chair.

REP. PADUANO. Okay. Now, under MC-97-002, the SDO, unless MC-97-002 was amended by the COA, the SDO or any accountable officer should submit her or his SALN to the Bureau of Treasury. Tama?

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. Okay. Do you have a specific document in your possession from the Bureau of Treasury with regards to the fidelity bond that was submitted by Miss Gina Acosta with regards to this confidential fund?

MS. CAMORA. We have that document, Mr. Chair, but it is not with us right now.

REP. PADUANO. So, Mr. Chairman, I move once again that the COA will submit to this honorable Committee the fidelity bond that was submitted by the Office of the Vice President to the Bureau of Treasury and to the COA, Mr. Chairman. So moved.

REP. LARA. Second.

REP. FLORES. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

REP. PADUANO. Thank you, Mr. Chairman. And in the case of this ₱125 million confidential fund, ano po ba... in your practice, COA, and, of course, the Bureau of Treasury, if you cannot answer this, I will address this question to the Bureau of Treasury in the next hearing.

Now, question, what is the ceiling of an SDO in this matter, this is 125 million transaction or budget?

MS. CAMORA. Mr. Chair, the BTr has a table which is dependent on the amount of the accountability.

REP. PADUANO. So, wala po kayo ngayon?

MS. CAMORA. Yes, wala po ngayon, Mr. Chair.

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REP. PADUANO. Kasi dapat 'di ba nagsasalubong kayo ng BTr at saka COA.

MS. CAMORA. Yes, Mr. Chair. We do use their table for our reference.

REP. PADUANO. So, you are using the table of the BTr with regards to accountability of the Special Disbursing Officer or accountable officers.

MS. CAMORA. Yes, Mr. Chair, because it is one of the requirements under the joint circular.

REP. PADUANO. Correct. Mr. Chairman, again, I move that we invite the representative from the BTr, Bureau of the Treasury, and the person that has knowledge with regards to this ₱125 million confidential fund and bring or submit to this honorable Committee the documents with regards to the accountability on this particular issue, Mr. Chairman, the ₱125 million confidential fund, the person in charge from the BTr, at the same time, the document that will indeed... was submitted... was submitted by the Office of the Vice President when the Vice President appoints a certain Gina Acosta. So moved, Mr. Chairman.

REP. LARA. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

REP. PADUANO. Now, Mr. Chairman, I have still some questions, I will not go into details because most of my questions will be addressed to Ms. Gina Acosta, the Chief Accountant. Of course, I cannot ask the Vice President because she will not be answering the question of this honorable Committee.

But, Mr. Chairman, as of now COA, please, in the next hearing, please bring with you all the MCs, 'no, memorandum circulars of the COA so that this Representation can ask you questions in relation to joint memorandum circular 2015-01, and your MCs, not only Memorandum Circular 97-002. Kasi ito, 'di ba... ito 'di ba regular audit ito. Tama?

MS. CAMORA. Yes po, Mr. Chair.

REP. PADUANO. Bring with you the specific guidelines with regards to requirements and processes being required for the conduct of special audit and the fraud because I want to see, Mr. Chairman, this particular issue. And COA should justify why this cannot be done in a special audit or a fraud audit and so that, Mr.

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Chairman, we can also scrutinize the specific guidelines of the COA with regards to special audit and fraud audit, in aid of legislation, so that we and this Committee, through the committee report, can propose possible amendments with regards to the guidelines of the COA on regular audit, special audit, and fraud audit, Mr. Chairman. Kasi gusto ko lang po makita if indeed COA made or taken due diligence with regards to this issue kasi napakalaki po ito and involved is the Office of the Vice President.

Thank you, Mr. Chairman.

THE CHAIRPERSON. COA please.

REP. PADUANO. So, COA, please bring with you or submit to this Committee...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. PADUANO. (Continuing)...submit to this Committee your guidelines with regards to special audit and fraud audit.

THE CHAIRPERSON. COA, please take note of the manifestation of Congressman Paduano.

MS. CAMORA. Noted, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. PADUANO. Okay. Lastly, Mr. Chairman.

THE CHAIRPERSON. Yes. Please proceed, last question.

REP. PADUANO. Anyway, ano lang, diretso lang ito. You can answer it...this or you can review it.

Now, what's the difference, in gist, what's the difference between a regular audit, a special audit, and a fraud audit?

MS. CAMORA. The regular audit is a regular financial audit which we review all the transactions of the agency. A special audit or a fraud audit are requested for ano...

REP. PADUANO. Mr. Chairman.

MS. CAMORA. May I ask the...

THE CHAIRPERSON. Congressman...

REP. PADUANO. Yeah, Mr. Chairman.

THE CHAIRPERSON. Call a friend.

REP. PADUANO. Ako, with due respect to COA, 'no, dugtungan ko lang po.

THE CHAIRPERSON. Yes, please, Congressman Paduano.

REP. PADUANO. Kasi ang sinasabi mo kasing regular audit ay iyon iyong annual audit, 'di ba? Tama?

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. Oo. Kasi kaya nga regular, sabi ko, that is part of your mandate in any agencies, 'no, to conduct a regular audit every end of the year. Tama?

MS. CAMORA. Yes po.

REP. PADUANO. Okay. Now, kahit nga sa regular audit ninyo sometimes it happens in the next quarter na, the following year, 'di ba? Tama?

MS. CAMORA. Yes po, Mr. Chair.

REP. PADUANO. And, Mr. Chairman, again iyon po iyong mga issue dito na, 'di ba, this Honorable Committee should put in the possible Committee Report, 'no.

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Kailangan kasi dito, Mr. Chairman, may certain accountability with regards to audit and dapat may corresponding penalty. Kasi tingnan mo, Mr. Chairman, well, in fact, in my own experience, 'no, for the past year, fraud audit, it takes COA for one year. Fraud audit pa iyon. Eh, kung fraud audit nga nangyayari iyong one year, siguro naman pati iyong regular audit. Kasi iyong fraud audit and special audit may exigency po iyon, 'no. Pero, anyway, who can answer the difference between a special audit and a fraud audit, and a regular audit? May sasagot ba o next hearing na lang?

MR. LAPITAN. Mr. Chair, with regard to the...

THE CHAIRPERSON. Atty. Lapitan.

MR. LAPITAN. Yes, Mr. Chair.

THE CHAIRPERSON. Are you going to answer, or you will ask the Committee to just answer it in the next scheduled hearing para medyo mas kabisado ninyo?

MR. LAPITAN. I will answer.

THE CHAIRPERSON. You will answer now?

MR. LAPITAN. Yes.

THE CHAIRPERSON. Okay, please.

MR. LAPITAN. Briefly, Mr. Chair.

THE CHAIRPERSON. Briefly, okay. Please continue, Atty. Lapitan.

MR. LAPITAN. When we speak of a special audit, it comes in every form like fraud audit when there is a...when the transaction is covered or tainted with fraud. And we also have special audits like the levy audit, rate audit, which is being performed by other offices in the Commission.

When it comes to a regular audit, that's the audit of the financial transactions where the three audit streams are being practiced, Mr. Chair.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. And, eto kasi sunod ko na tanong—timeline?

MR. LAPITAN. With regard to the timeline, Mr. Chair, like the fraud audit, the COA issued several guidelines or internal policies. We have memorandum, COA Memorandum 2020-014, if I'm not mistaken, that's...that governs the rules on fraud audit. And also, there are issuances by other office in the Commission in the performance of rate audit, levy audit, and other special audit, Mr. Chair.

REP. PADUANO. Mr. Chairman.

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MR. LAPITAN. Maybe, Mr. Chair, next hearing we will provide the de...full details.

THE CHAIRPERSON. Okay, thank you.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Last question.

REP. PADUANO. Sige. Anyway, Mr. Chairman, pagbibigyan ko po iyong COA kasi kaya nga po...kasi ang issue kasi dito is all about the difference between a regular audit kasi kapag regular nandoon na iyon, six months, then another two months from the...'di ba, for the Commission to decide, 'di ba? Now, question of fraud audit, kaya nga fraud audit iyon, eh, kaya nga special audit iyon kasi there's an exigency kasi magkaiba iyon, hindi ba? Tama?

Now, as of now, you cannot answer about the timeline. Kasi ang hinahabol po natin dito is all about the timeline. Kasi, all the more—justice delayed, justice denied. O, kapag tinanong kita, i-review ninyo na lang. Eh, paghandaan ninyo next hearing, ito, itong case, OVP case, 125 million confidential fund. Does it merit a special or a fraud audit?

MS. CAMORA. Actually, Sir, it is...

THE CHAIRPERSON. Atty. Camora.

MS. CAMORA. Mr. Chair, actually, it is a compliance audit, so they have to comply with the joint circular.

REP. PADUANO. Hindi nga. Regular audit siya pero...

MS. CAMORA. Compliance audit po, Sir.

REP. PADUANO. Hindi. Hypothetical lang. O, until now nga, eh, iyong appeal hindi pa sinagot but, of course, they're given 180 days.

MS. CAMORA. Yes, Sir.

REP. PADUANO. Now, hypothetical lang. Is this particular case puwede pang pumasok doon sa special audit, to conduct a special audit?

MS. CAMORA. If there is a request.

REP. PADUANO. O, if there is a what?

MS. CAMORA. If there is a request for...

REP. PADUANO. Who will request? Sige nga, who will request?

MS. CAMORA. Anyone.

REP. PADUANO. Sorry?

MS. CAMORA. Any person, agency, or...

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REP. PADUANO. Any person and agency. Madam, you check na lang po iyong guidelines ninyo with regards to fraud and special audit kasi baka mamaya magkaproblema po kayo.

MS. CAMORA. Sige. Thank you. Thank you, Mr. Chair.

REP. PADUANO. Please lang po. Mr. Chairman, next hearing na lang po. I will just end my interpellation to COA. And I hope that next hearing COA will prepare with regards to it and the BTr, Mr. Chairman, because in this particular case it is crucial, crucial role ng BTr at saka ng COA, Mr. Chairman.

Thank you, Mr. Chairman, for this opportunity. Thank you.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Paduano.

REP. ACOP. Mr. Chairman.

THE CHAIRPERSON. The Chair would like to recognize the Honorable Acop.

REP. ACOP. Thank you.

THE CHAIRPERSON. But before you proceed, Congressman, the Chair would like to recognize the presence of Honorable Johnny Pimentel. Sir.

Yes. Congressman Acop, please proceed.

REP. ACOP. Thank you, Mr. Chair. I would just like to follow up the issue raised by the Honorable Paduano.

You cannot answer kung ano po ang timeline para sa regular audit at saka fraud audit. Tama po? Hindi po niya...hindi po ninyo nasasagot?

MR. TOMAWIS. May I clarify po? Since...Mr. Chair.

THE CHAIRPERSON. Mr. Fahad Tomawis, you are recognized.

MR. TOMAWIS. Yes po. Since I am the Audit Team Leader of the OVP for conducting the regular audit, mayroon po tayong timeline for the regular audit. Kasi, usually, mayroon kaming timeline to transmit the report annually to the Congress, to the OP, and to the oversight bodies as well as to the management, or to the OVP. So, mayroon pong timeline na nasa GAA po, nasa General Appropriations Act.

REP. ACOP. Ano po iyong timeline na iyon?

MR. TOMAWIS. For the regular audit.

REP. ACOP. Yes. Ano po? Ilang buwan, ilang taon? Huwag ninyo po kasing sabihin sa amin na may timeline kung hindi ninyo alam kung ilan ang buwan, araw, or taon iyong pag-conduct ninyo. Because the next question that I will ask is, if

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we conduct…if you conduct a fraud audit, how long will it take? Would it be more than the number of months, years, sa pag-conduct ninyo ng regular audit?

Kasi, mga taga-COA, iyon po iyong problema ni Chairman Caraps, who is the Chairman of the Committee on Public Accounts. Iyong hearing po namin doon, naririnig namin iyong regular audit at saka fraud audit. Ang napapansin namin, napakatagal po, as if there is no difference between the timeline of the regular audit and the fraud audit. Kaya ang susunod na tanong ko rin sa inyo is, what is the purpose of the fraud audit? Ano'ng objective? Kaya siguro sa next hearing, para hindi naman ma-delay iyong proceedings na ito, pakibanggit na rin sa susunod na hearing…

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REP. ACOP. (Continuing)...sa susunod na hearing, ano po?

MS. CAMORA. Noted po, Mr. Chair.

REP. ACOP. Yes. Kasi iyon po ang problema namin sa mga hearings namin dito.

Thank you, Mr. Chair.

THE CHAIRPERSON. Please continue.

REP. ACOP. Ako na ba?

THE CHAIRPERSON. Yes, kayo na po.

REP. ACOP. Ah, ako na.

THE CHAIRPERSON. Please proceed.

REP. ACOP. Thank you, Mr. Chair. I have more or less 30 questions and 2 manifestations. I hope the...the Honorable Congressman next to me would not gripe and get mad at me.

Mr. Chair, may I proceed?

THE CHAIRPERSON. Yes, but you have to squeeze your 30 questions and 2 manifestations into five minutes. Please proceed...

REP. ACOP. If...

REP. ABANTE. Mr. Chair...

THE CHAIRPERSON. ...Cong. Acop.

REP. ACOP. ...that is the case...

REP. ABANTE. ...I'm giving him all the time in the world.

THE CHAIRPERSON. Okay. Sige po.

Please proceed, Congressman Acop.

REP. ACOP. Thank you, Vice Chair Abante.

May I ask COA. Ang una po ninyong ini-issue sa isang agency na nagkakaroon po ng problema tungkol sa kanilang use of public funds could be your AOM or Audit Observation Memorandum. Tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. And the next would be a Notice of Suspension. Tama rin po ba?

MS. CAMORA. Sa...Sa regular audit, puwedeng Notice of Suspension or puwedeng Notice of Charge.

REP. ACOP. Audit of?

MS. CAMORA. Notice of Suspension or Notice of Charge.

REP. ACOP. Notice of Charge?

MS. CAMORA. Charge po.

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REP. ACOP. Yes, okay. And after that, there will be a Notice of Disallowance.

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. Tama. Now, would there be a timeline, pursuant to your circulars, na mayroon po iyong interval ng pagkuwan…pagbigay ng AOM, after which, your Notice of Suspension or Notice of Charge, and then Notice of Disallowance?

MS. CAMORA. Mr. Chair, sa regular audit and even sa confidential funds audit, 15 days after issuance ang…of AOM, the agency must give their reply.

REP. ACOP. Yes. But they can ask for a…they can file a motion for reconsideration to extend the period. Nangyayari po yata iyon.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Iyon nga po ang…May gusto lang akong i-point out. So, it's very possible na nagpa-file sila ng motion for extension of time to file their answer.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, that is also true after the issuance of a Notice of Suspension.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Nagpa-file din…puwede rin silang mag-file ng extension of time before you…you give the Notice of Disallowance?

MR. TOMAWIS. Mr. Chair, may I…may I clarify those…

THE CHAIRPERSON. Please, Mr. Tomawis.

MR. TOMAWIS. For the regular audit, first thing po na ginagawa namin pag may nakita kaming mga deficiencies, mag-i-issue kami ng AOM and the…the management is given 15 days to reply for comments para ma-justify nila kung may mga justify…justification sila. And then, just…just in case po na doon sa deficiencies noted po namin is may mga non-submission of documents or may mga lacking documents, we can issue Notice of Suspension.

REP. ACOP. I know that. But ang tanong ko po is, they can file a motion to extend the time for them to submit? Nangyayari po iyon, 'di po ba?

MR. TOMAWIS. I think I have no…the…I am not the…I have…I have no authority or position na magsabi doon because the notice, pag po in-appeal na or, for example, may extension…but then on my point…on my perspective po, as auditor ng OVP, we are required po doon sa…to…to…we are required na dapat ma-comply po

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ng management. Pag nag-issue kami ng notice, dapat ma-comply nila within the 90 days period.

REP. ACOP. Assuming...Assuming...

MR. TOMAWIS. So...

REP. ACOP. ...that they will not be able to comply, what is your next move?

MR. TOMAWIS. That's the time po na puwede na kaming mag-issue ng Notice of Disallowance kasi nag-mature na po iyong Notice of Suspension.

REP. ACOP. So, 15 days, sige, to follow you. After which, the Notice of Suspension, hindi pa rin...ano ang susunod, Notice of Disallowance? How long would that take?

MR. TOMAWIS. For the Notice of Disallowance po, for example, doon sa Notice of Suspension, pag na-issue na po iyon, the management or the agency is given 90 days to comply with the requirements. Then, if ever po na hindi nila ma-comply with that period, magma-mature na po siya into Notice of Disallowance. Then...

REP. ACOP. So, 3 ½ months?

MR. TOMAWIS. Ninety...

REP. ACOP. Ninety days plus...Three months plus 15 days, 3 ½ months.

MR. TOMAWIS. For the Notice of Suspension po, may requirement po na 90 days.

REP. ACOP. Kaya nga, plus iyong 15 days na kuwan ninyo ng kuwan, from AOM...

MR. TOMAWIS. Yes, from AOM.

REP. ACOP. ...so, that's 3 ½ months.

Now, doon po sa question ng 125 million na confidential fund, inisyu *(issue)* ninyo po iyong...iyong liquidated report po ninyo, January 10, 2023, 'di po ba? Would that be correct? And you issued the Notice of Suspension only on December 13, 2023. Would that be correct?

MS. CAMORA. Mr. Chair, the first AOM was issued on September 14.

REP. ACOP. Hindi. Tinatanong ko if that is correct, iyong sinabi ko po. Kindly answer yes or no. Is my...Is my data wrong?

MS. CAMORA. Mr. Chair, may I request...

REP. ACOP. Ang sabi ko, dito po sa report ninyo na Notice of Disallowance, iyong liquidation report ninyo is dated January 10, 2023. Tama po?

MS. CAMORA. Tama po, Mr. Chair.

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REP. ACOP. Tama. Iyon nga po ang tinatanong ko. And the...the Notice of Suspension was dated December 13, 2023. Now, January 10, 2023 to December 13, 2023, almost one year na. Akala ko ba ay 15 days lang dapat?

MS. CAMORA. Mr. Chair...

REP. ACOP. Kailan ninyo inisyu *(issue)* iyong AOM nito?

MS. CAMORA. Iyong...Iyong AOM po was issued September 14.

REP. ACOP. September 14. Di nae-extend talaga. Eh, ang sabi kanina ni Mr. Tomawis, 15 days lang. Pero dito, sa kaso na ito, kung September 13 iyong AOM ninyo, dapat October pa lang, nag-i-issue na kayo ng kuwan, ng Notice of Suspension. So, tama iyong sinasabi ko na nae-extend iyong time dahil iyon ang experience namin sa kuwan, eh, sa hearings namin coming from your representatives.

MS. CAMORA. Iyong 15 days, Mr. Chair, is for them to answer.

REP. ACOP. Yes.

MS. CAMORA. Of course, after they give their compliance po, we have to evaluate po their reply.

REP. ACOP. So, how long would you...it take you? Kaya ko tinatanong iyong timeline, eh, dahil ang problema, kung titingnan po ninyo iyong mga katanungan ko kanina, iyong tagal, 'di po ba?

MS. CAMORA. Mr. Chair, it would depend po kasi sa complexity noong sinabmit *(submit)* nila po sa amin.

REP. ACOP. Well, anyway, let's deal with the...your AOM na inisyu *(issue)* po ninyo noong Fiscal Year 2022, iyong confidential funds ng OVP. Puwede po bang malaman ano po ang nag-trigger na mag-issue kayo ng AOM regarding the confidential funds of the OVP in 2022?

MS. CAMORA. Based on their submitted liquidation report, we found deficiencies in the documents that they gave us.

REP. ACOP. Doon sa documents na ibinigay po sa inyo?

MS. CAMORA. Sa submitted liquidation report, Mr. Chair.

REP. ACOP. Puwede po bang malaman namin kung ano po iyong major findings na nandoon po sa Audit Observation Memorandum?

MS. CAMORA. Mr. Chair, iyong major findings are the ones that can be seen na po sa Notice of Disallowance, which is iyong sa payment of rewards.

REP. ACOP. Ang tanong ko po, Madam, Attorney, is that, ano po iyong major findings doon sa AOM? Hindi po sa Notice of Disallowance. Kasi you must have a basis why you issued the AOM and I want to know the basis of that.

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MS. CAMORA. Mr. Chair, doon sa AOM, first, they did not submit documentary evidence of payment to support their Accomplishment Report. And then, per analysis of the submitted Accomplishment Report, it was revealed that some of the fund was used for medical and food aid...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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MS. CAMORA. (Continuing)...medical and food aid and travelling...travel relative to confidential operations although it was not yet clear if, at that point, if it was used for confidential operations. And then we have the payment of rewards which were not supported with documents evidencing the success of the information gathering. And then they also did not submit the special budget request and the amended accomplishment report. And then the DV was not properly accomplished by the...the DV was not...

REP. ACOP. Okay. Yes.

MS. CAMORA. ...particularly accomplished.

REP. ACOP. Now, these observations of yours were repeated sa Notice of Disallowance. Sinagot mo na iyon kanina, eh, 'di ba?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Now, ang susunod na katanungan ko po is, did the Office of the Vice President issue any response in relation to your AOM?

MS. CAMORA. Yes, Mr. Chair, that is why the remaining items in the NDs are those that we are not yet satisfied with.

REP. ACOP. Yes. The responses given by the office...of the OVP did not satisfy your requirement.

MS. CAMORA. As to the ND, Mr. Chair.

REP. ACOP. Yes. Correct?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, may in-issue din po kayong Notice of Suspension dahil hindi nga po acceptable iyong sagot ng Office of the Vice President, tama?

MS. CAMORA. Yes, Mr. Chair. Yes, Mr. Chair.

REP. ACOP. Yes. Ano po ang...Iyon po iyong dahilan bakit nag-issue kayo ng Notice of Suspension, hindi nag-comply iyong OVP sa mga requirements po ninyo.

MS. CAMORA. Hindi nag-comply, Mr. Chair, or their compliance is still not sufficient.

REP. ACOP. Yes. Now, noong maibigay niyo doon iyong Notice of Suspension po ninyo, puwede po bang malaman ano po iyong findings na inilagay niyo roon at saka what steps did the Office of the Vice President take in view of the Notice of Suspension?

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MS. CAMORA. As to the Notice of Suspension, again the rewards was not fully documented. Some of the accomplishment reports should be...should...should not be included as confidential expenses,...

REP. ACOP. Yes.

MS. CAMORA. ...such as the tables, chairs. And then we noted also that some of the acknowledgment receipts were undated or not properly dated.

REP. ACOP. Okay.

MS. CAMORA. And then they used different...different accounting terms...

THE CHAIRPERSON. Ma'am, puwede po bang pakilasan ninyo iyong boses ninyo at saka Tagalugin na po ninyo para medyo mas maliwanag po.

MS. CAMORA. Opo. Iyong ibang na-submit po na acknowledgment receipts, ibang accounting terms ang ginamit compared sa what is required in the joint circular.

REP. ACOP. So, Madam, sa pagkaintindi ko, kung maayos sanang sinagot ng office ng Vice President iyong mga requirements po ninyo, hindi na po dapat naisyuhan sila ng Notice of Disallowance, would that be correct?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. Now...Pero, nag-issue po kayo ng Notice of Disallowance.

MS. CAMORA. Yes po, Mr. Chair.

REP. ACOP. Yes. Puwede po bang ilahad ninyo sa amin ano iyong major findings at observations ninyo sa Notice of Disallowance? Iyon po ba ang binanggit ninyo? Iyon din po ba?

MS. CAMORA. Yes, Mr. Chair. Iyong sa payment of rewards na kulang po ang documentation on the success of the information gathering, iyon pong pag-charge nila ng tables, chairs, desktop computers sa confidential funds which is not...wala po sa joint circular. And then iyon pong resubmission nung updated na accomplishment report nila sa three offices po.

REP. ACOP. And to confirm, Madam Attorney, these findings and observations were already raised doon pa lang sa AOM, tama po?

MS. CAMORA. Yes po. Tama po, Mr. Chair.

REP. ACOP. And sa matagal na panahon na naibigay natin ang pagkakataon sa Office of the Vice President na maipaliwanag at ma-rectify kumbaga iyong inyong mga observations doon sa AOM, hindi pa rin nabago hanggang nag-issue po kayo ng Notice of Disallowance?

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MS. CAMORA. Yes, Mr. Chair. Mayroon naman pong submissions but kulang po.

REP. ACOP. In other words, hindi po ma-justify ng Office of the Vice President iyong kanilang expenditure program, iyong paggamit po nila ng pondo in general, would that be correct?

MS. CAMORA. That would be correct po.

REP. ACOP. Mr. Chair, I just want to emphasize this point kasi a few weeks ago lang natin unang nabalitaan itong mga findings na nakalaan sa Notice of Disallowance, pero sa naririnig ko ngayon from COA, last year pa nila pinupunto ang mga pagkukulang na ito ng Office of the Vice President. Sa aking pagtatanong po sa inyo, iyon po ang lumalabas.

Number two, last year pa paulit-ulit na binigyan ng COA ang Office of the Vice President ng pagkakataon na maayos o maipaliwanag itong mga expenditure program...expenditure na ginawa po nila sa paggamit po ng kanilang pondo. Tama rin po.

At number three, after all the time and all those chances, hindi talaga maayos o maipaliwanag ng OVP ang kanilang paggamit doon sa confidential fund worth 125 million, would that be correct?

MS. CAMORA. Bale ang amount na lang po niya sa Notice of Disallowance is 73 something.

REP. ACOP. Yes, iyon ang hindi nila naipaliwanag hanggang ngayon.

MS. CAMORA. Opo.

REP. ACOP. That is for the confidential fund for 2022.

Now, could we go to the confidential fund for 2023 na worth 500 million, tama rin po ba?

MS. CAMORA. Tama po, Mr. Chair, iyong budget po nila.

REP. ACOP. Puwede po bang malaman, masabi ninyo dito sa Committee na ito kung nagkaroon din ba ng audit observation memorandum na in-issue ninyo ukol sa 2023 confidential funds? Mayroon din po bang AOM ito?

MS. CAMORA. Mayroon din po, Mr. Chair.

REP. ACOP. Mayroon?

MS. CAMORA. Mayroon po, Mr. Chair.

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REP. ACOP. Ngayon, ilan pong AOMs ang nailabas po ninyo in relation to this 2023 confidential fund?

MS. CAMORA. Dalawang AOMs po, Mr. Chair.

REP. ACOP. Dalawa.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Dalawang AOMs.

MS. CAMORA. Yeah.

REP. ACOP. Tama ba ang aking pagkaintindi na bawat quarterly disbursement ng OVP insofar as their confidential funds for 2023 are concerned ay may lumalabas na AOM galing sa inyo?

MS. CAMORA. Yes, Mr. Chair, although iyong first and second period pinagsama na po namin sa isang AOM...

REP. ACOP. Yes.

MS. CAMORA. ...kaya iyong third period...

REP. ACOP. Pinagsama po niyo iyong dalawang period?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, would it be true na ang ibig sabihin, lahat ng quarterly liquidation ng OVP may problema?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Ganoon po ang lumalabas sa sagot po ninyo.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. In general terms, maaari niyo po bang iprisinta sa Komiteng ito iyong major findings at observations sa bawat AOM na ibinigay po ninyo sa Office of the Vice President?

MS. CAMORA. Mr. Chair, compared po sa...

REP. ACOP. Hindi. Ang tinatanong ko lang naman kung maari po niyong ibigay dito sa Committee. Ang tanong...Ang sagot lang po diyan ay kung kaya po ninyo. Kaya niyo po ba o hindi?

THE CHAIRPERSON. Before you answer, Attorney Camora, the Chair would like to manifest that the time of Congressman Acop is already up, but considering that Congressman Benny Abante already yielded to the...to Congressman Acop, ibibigay po natin iyong...ipatutuloy po natin kay Congressman Acop iyong time po ni Congressman Benny Abante.

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Please answer, Attorney Camora.

MS. CAMORA. Mr. Chair, considering that the audit of the compliance of the AOM is still ongoing,...

REP. ACOP. You cannot submit?...

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REP. ACOP. (Continuing)...You cannot submit?

MS. CAMORA. I cannot, yet.

REP. ACOP. Iyon lang po ang gusto kong...Ang tanong ko naman po ay kung maaari ninyong ibigay. Kung hindi puwede, you just give us the reason why.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. So, you cannot give it dahil ongoing pa iyong inyong kuwan.

MS. CAMORA. Ongoing po. Yes, Mr. Chair.

REP. ACOP. Okay. Thank you.

Now, iyon bang mga issues na nakita ninyo ngayon, nakikita ninyo ngayon sa 2023, kagaya rin ba na mga issues noong 2022 *vis-à-vis* their confidential funds?

MS. CAMORA. There are some similar findings, Mr. Chair.

REP. ACOP. Similar? So, ang ibig sabihin...

MS. CAMORA. Similar.

REP. ACOP. ...ini-expect natin na mag-issue kayo ng notice of suspension at saka notice of disallowance? Would that be a correct statement?

MS. CAMORA. I have yet to see the compliance report, Mr. Chair.

REP. ACOP. Thank you, Madam Auditor.

Mr. Chair, I would like to make a manifestation insofar as the refusal of the Vice President to take her oath insofar as the hearing of this Committee is concerned.

Such refusal can damage the public's perception of integrity in public office. The Filipino people deserve honesty and openness from their leaders, especially when their actions are being scrutinized. The House inquiry is in aid of legislation to serve the public interest. Dodging the oath gives the impression that the Vice President may not want the full truth to come out. No one is above the law or beyond the reach of truth. We humbly urge the Vice President to reconsider her position and take her oath as this inquiry is meant to benefit the people we serve. Transparency should never be optional for public officials. We all owe it to the Filipino people to tell the truth under oath, if it is necessary.

Now, my second manifestation, Mr. Chair, would pertain to the issue of tradition as raised by the Honorable Marcoleta and this is not my personal manifestation but a manifestation of a group of Filipino citizens and I would like to quote from their...from their Viber, "The Constitution of the Philippines, specifically Article 11, Section 1, explicitly states that public office is a public trust. At all times, public officers and employees must be accountable to the people, serve them with

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the utmost responsibility, integrity, loyalty, and efficiency. The primary responsibility of legislators is to the people and nation as this provision emphasizes, it is not to maintain outdated traditions that may obstruct necessary scrutiny and transparency in government operations. Although some may contend that these courtesies are extended to high-ranking officials, it is crucial to recognize that taxpayers' funds are the source of funding for all public offices including the Office of the Vice President. Consequently, it is imperative that each centavo allotted to it undergoes the same rigorous assessment as any other department or office. Legislators are failing to fill…fulfill their obligation to ensure that public funds are allocated responsively and prudently by prematurely concluding budget discussions.

The Power of the Purse is vested in Congress by Article VI, Section 24 of the Constitution. This authority requires the scrutiny of the national budget to ensure that it is in accordance with the requirements of the populace and that government programs and projects are appropriately funded and managed. Budget deliberations are not merely formalities. They are critical processes that enable legislators to evaluate and challenge the allocation of public funds. The constitutional mandate is directly violated by the use of tradition as an excuse to conclude these discussions. This is particularly true when the OVP's budget incorporates confidential funds which necessitate even more rigorous scrutiny due to their nature. The people deserve transparency."

It is time, I think, to discontinue a harmful practice, not the deliberations themselves, but this long honored tradition of circumventing critical budget evaluations should be terminated upholding such a practice particularly when it directly affects the management of public funds is a violation of the public interest mandate of legislators.

We are at risk of fostering corruption and mismanagement by allowing tradition to supplant accountability. We have the right to demand that our Representatives in Congress carry out their obligation to scrutinize the budget without exception as Filipinos. The OVP or Office of the Vice President, like any other office that receives public funding is subject to the same accountability standards in order to guarantee that confidential funds are utilized for legitimate purposes that advance the public interest, they necessitate meticulous supervision. The purse is a critical mechanism for preventing government overreach and the misappropriation of funds. Congress can guarantee that our government remains accountable to the people it serves by fulfilling this constitutional obligation. The

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public and our legislators are responsible for rejecting this detrimental tradition in favor of transparency and good governance. The integrity of our democratic processes and the restoration of trust in our institutions can only be achieved by doing so.

Marami pong salamat, Mr. Chairman.

THE CHAIRPERSON. Thank you, Congressman Acop.

The Chair would like also to give a brief manifestation on issue of taking of oath.

Base po sa ating tradisyon at practices po nitong Committee…ng Committee hearing, ang mga resource persons po at saka mga witnesses po sa mga Committee po ay ang trato po natin sa kanila ay parehas lamang. Iyon po ang pagtingin nitong Komiting ito. Kaya po lahat po ng mga witnesses at lahat po ng mga resource persons po ay nire-require po natin sila na mag-take ng oath para po malaman po natin kung sila po ay nagsasabi ng totoo at pawang katotohanan lamang. Ito po ay nakalagay po sa ating rules of procedure at governing po ng inquiries, in aid of legislation, at para malaman po natin ang mga testimonya at impormasyon na kanila pong binibigay po sa atin ay totoo at maaasahan po ng Committee at ng august Body.

Kanina po pinayagan po natin ang ating Kagalang-galang na Vice President na hindi po mag-take ng oath at hindi po natin siya pinilit dahil...sa halip ay hinayaan din po natin siya at pinayagan din po natin siya na mag-manifest o magbigay po ng maiksing pananalita. Alam po ninyo kaya po natin ginawa iyan ay dahil po sa pagbigay po natin ng respeto sa position at sa opisina na kanya pong nirerepresenta bilang Vice President. Ang Kongreso po ay ire-recognize po ito at ibibigay po natin ang respeto sa ating Bise Presidente at sa kanyang opisina pero hindi po ibig sabihin na ito pong insidente dahil hinayaan po natin kanina ay magiging precedent na sa mga susunod na Committee hearing. Hindi po mangyayari iyan at lahat po ng witnesses at lahat po ng resource persons na magti-testify, o hihingian po natin ng paliwanag…

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THE CHAIRPERSON. (Continuing)...hihingan po natin ng paliwanag dito sa ating Committee hearing ay ire-require po natin na mag-oath, at iyon po ay nakalagay dito po sa ating Rules. In fact, pagka ito o isang ground para ang isang witness po ay ma-cite po for contempt. Pero dahil nga po sa paggalang sa opisina kanina ng ating Bise Presidente, ito po ay i-o-overlook po natin at palalagpasin po natin.

So, iyan po ang opinyon ng inyong Chairman kaya po with that...ang susunod po na mag-i-interpellate po ay si Congressman Jojo Lara ng 3rd District ng Cagayan.

Congressman Lara, kayo po ay nire-recognize.

REP. LARA. Thank you. Maraming salamat, Mr. Chair.

Sa COA, iyong Notice of Disallowance ninyo sa Office of the Vice President, intelligence or confidential fund ba iyong may Notice of Disallowance? Kasi kanina natandaan ko binigyan mo ng description, Director Camora, iyong confidential fund. Tama ba iyon?

MS. CAMORA. Mr. Chair, confidential fund po ang sa OVP.

REP. LARA. Confidential fund. Kasi nakalagay sa harap niya is confidential and intelligence doon sa sinabi nininyo. Anyway...so, confidential fund ito para lang sana madiretso tayo na nagre-report, iyong susunod na mga ... balang araw siguro baka bigyan natin ng pansin ito, pagka confidential fund, confidential fund, hindi puwede namang magsabay ang intelligence at confidential fund. Tama po ba ako doon?

MS. CAMORA. Mr. Chair, sa taas, office po kasi iyong intelligence and confidential fund.

REP. LARA. Hindi. Iyong itinatanong ko nga, iyong paglabag is confidential fund na issue.

MS. CAMORA. Yes po, Mr. Chair.

REP. LARA. Iyon lang. Ngayon punta na ako dito, Mr. Chair, kasama siguro sa mga kinabisado ninyong mga batas is the Procurement Law. Tama ba ako doon, COA, iyong Procurement Law, sa mga pag-o-audit ninyo, kasama ba sa tinitignan ninyo kung may sumunod sa alituntunin ng Procurement Law o may paglabag? Tama ba ako doon?

MR. TOMAWIS. For the regular audit, Mr. Chair, yes po.

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REP. LARA. Kung may mga fraud audit at saka special audit, hindi o pati iyon tinitingnan ninyo din?

MR. TOMAWIS. For the fraud audit po at saka special audit usually hindi namin covered sa regular transactions.

REP. LARA. Hindi ninyo tinitingnan kung may paglabag sa Procurement Law?

MR. TOMAWIS. On the regular audit po, tinitingnan.

REP. LARA. Talagang tinitingnan ninyo.

MR. TOMAWIS. Compliance. Compliance.

REP. LARA. Okay. Okay. So, dito sa ano, sa pinag-uusapan ngayon na under sa OVP, 'di ba regular audit lang ito. Tama ba ako doon?

MR. TOMAWIS. Iyong kung sa confidential po iba po iyong confidential. But then kung regular audit, iyon po iyong sa amin po.

REP. LARA. Okay. So, itong tanong ko ngayon na isa may mga... pag may mga paglabag sa procurement law, possible bang makasuhan iyong mga paglabag dito o may instance ba na natatanggal iyong mga involved dito in cases na may paglabag, sa pagkakaalam ninyo?

MR. TOMAWIS. Mr. Chair, I think RA 9184 imposed also sanctions. So, kung may paglabag puwede po siyang makasuhan.

REP. LARA. Puwedeng makasuhan, puwedeng matanggal?

MR. TOMAWIS. Yes.

REP. LARA. Tama ba ako doon?

MR. TOMAWIS. Yes, Mr. Chair.

REP. LARA. Okay. Thank you, Mr. Chair.

Ngayon punta na ako doon sa detalye, 'no. Bakit po na-disallow ang humigit-kumulang, to be exact po ₱73,287,000 sa ₱125 million na confidential fund na dinisbers *(disburse)* ng OVP noong 2022? Bakit po na-disallow?

MS. CAMORA. As discussed po kanina, mayroon po silang mga hindi na-submit na documentary requirements at saka mayroon din po iyong expenses nila na hindi po pasok sa expenses allowed by the joint circular.

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REP. LARA. So, iyong 73, o kamo na lang, for brevity, 74 million po na na-disallow, may tendency ba na pagka nag-submit ng mga dokumento puwedeng hindi na kasama sa disallowance? Possible ba iyon?

MS. CAMORA. Possible po, Mr. Chair, if they submit iyong documents na hinahanap po namin.

REP. LARA. Kasi katulad nito, Mr. Chair, doon sa payment ng reward in cash, 'di ba nakalagay dito reward payment, 10 million; various goods, 34, 857,000, and medicine. Siyempre ang unang itatanong dito pagka sinabi mong reward kanino mo ibinigay iyong reward in cash na 10 million, 'di ba? Kasama ba iyon sa mga compliance ninyo, iyon iyong itinatanong ninyo?

MR. CAMORA. Kasama po iyon sa documents na sina-submit nila sa amin, although hindi naman po kami particular kung sino iyong particular recipients since they could withhold iyong names, as long as sufficient siya na i-prove na reward siya na naibigay dahil sa confidential activities po.

REP. LARA. Yes. Siyempre without going to the specification kung sino iyong nakukuhanan, siyempre ibi-breakdown doon na kailan ibinigay, bakit may cash reward. Tama ba ako doon, Mr. Chair?

MS. CAMORA. Tama po, Mr. Chair.

REP. LARA. Tama. So, iyong specifics and breakdown. Importante ito kasi hindi naman puwede lump sum ibinigay mo without any accountability, 'di ba? Tama ba ako doon?

MS. CAMORA. Tama po, Mr. Chair.

REP. LARA. Okay. Ngayon punta tayo doon sa payment ng various goods, dinis-allow ninyo iyong 34,857,000, ganoon pa rin ba iyong hinihingi ninyo dito, anong mga goods ito, kanino pinamigay? Tama ba ko doon?

MS. CAMORA. It is more on iyong ano po iyong hinahanap namin, iyong success noong...success...kung naging success ba iyong... successful po ba iyong confidential operations nila because we could have given these to the informants pero wala namang...wala naman po kaming information kung naging successful po ba iyong confidential operations o hindi.

REP. LARA. So, iyong sinasabi mo, Mr. Chair, na success iyong program hindi ba ...

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MS. CAMORA. Not the program po, Mr. Chair.

REP. LARA. Ano iyon?

MS. CAMORA. Successful iyong confidential operations po, iyong surveillance na na-conduct nila.

REP. LARA. Hindi, kasi various goods ito, Ma'am.

MS. CAMORA. Yes, Mr. Chair. Puwede po kasing as rewards iyong various goods na ibinigay nila.

REP. LARA. Pag sinabi mong reward puwede bang goods din iyan or cash dapat ito?

MS. CAMORA. Kaya po namin siya in-include dito kasi nag-rely kami sa disclosure nila na rewards po siya...

REP. LARA. Hindi. Siyempre ika-categorize natin. Reward comes in many form. Tama ba? Puwedeng cash, pwedeng goods.

MS. CAMORA. Puwede naman po. Wala naman pong description, Mr. Chair.

REP. LARA. So, anong... hindi ba puwede na...hindi ninyo idini-demand na kung anong specific itong... kasi mayroon na kayong reward payment, ten million, so anong difference nito ngayon doon sa various goods na 34.857 million, kung sinasabi mo ngayon na pwedeng cash ito, 'di ba dapat nilagay mo na lang reward payment cash pa rin?

MS. CAMORA. Iyon po sana ang ideal pero based on their explanations ito po ang...nagbigay sila ng cash doon sa agent nila na nag-distribute po ng various goods and medicines doon sa informants who they rewarded.

REP. LARA. So, cash ang ibinigay tapos goods ang pinamigay noong pinagbigyan ng cash. Ganoon ba iyon...

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REP. LARA. (Continuing)...Ganoon ba iyon, Mr. Chair?

MS. CAMORA. Parang ganoon po. Parang may ano po na may mga informants na mas preferred nila iyong goods.

REP. LARA. Iyong goods?

MS. CAMORA. Yes, Mr. Chair.

REP. LARA. So, pagka goods ang ibibigay mo, 'di ba tama lang siguro ito na dadaan din sa proseso ng procurement kasi na-disallow ninyo ito or ano? Kapag darating ang araw na talagang ma-prove dito na disallowed dahil goods ito at hindi naman confidential funds for that purpose, posible ba na...may paglabag ba sa procurement kung sakali?

MS. CAMORA. Mr. Chair, 'pag sa...sa joint circular po kasi, it provides that purchase or rental of supplies, materials, and equipment for confidential operations that cannot be done through regular procedures such as iyong bidding po.

REP. LARA. Hindi. Once na na-disallow ninyo nga ito with finality kasi dumadaan sa proseso. Kasi sabi mo kanina wala, hindi pa naman final ito, eh. Kasi puwedeng ma-explain pa, 'no, na pagka na-explain baka papasok na pasado naman as confidential fund, 'di ba?

MS. CAMORA. Yes, Mr. Chair.

REP. LARA. Ang ano ko lang, what if na hindi nga nila ma-justify ito at nahulog na talaga ang Notice of Disallowance? Dalawa naman puwede niyang puntahan nito, 'di ba? Pag na-disallow ba ito may possibility ba na babayaran ng nag-disburse ito o hindi kailangang ibalik o bayaran?

MS. CAMORA. Dalawa naman po iyan, Mr. Chair, puwede nilang bayaran as is, or puwede silang mag-appeal on the disallowance.

REP. LARA. Yes. Hindi, with finality. In case lang iyong appeal talagang hindi na talaga, final na iyong findings na disallowed, hindi ba ang sabi mo puwedeng bayaran, tama?

MS. CAMORA. Yes, Mr. Chair.

REP. LARA. Okay. Kung na-disallow, na-disallow ito, siyempre ang pananagutan niya is the whole amount, ibabalik niya. Tama ba?

MS. CAMORA. Iyong amount po na disallowed, Mr. Chair.

REP. LARA. Na na-disallow.

MS. CAMORA. Yes, Mr. Chair.

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REP. LARA. Okay. So, ngayon punta tayo doon sa medicine, 'no, ganoon din. Iyong medicine na iyon, binigay ba as a medicine iyon na mismong produkto or iyong goods na medicine, iyong amounting to almost 25 million?

MS. CAMORA. Ganoon po iyong based sa documents nila, Mr. Chair.

REP. LARA. Yes. Tama?

MS. CAMORA. Sa explanation po nila.

REP. LARA. Okay. So, 25 million na medicine, hindi na ba kailangan ito na dadaan sa proseso ito once na confidential fund, eh, goods ito, Mr. Chair?

MS. CAMORA. Mr. Chair, iyon nga po, ang explanation nila is hindi...sa informant na siya medicines pero sa agent nila is cash na bigay.

REP. LARA. Hindi. Kanina tinanong ko nga sa inyo, eh, cash ba binigay ito sa informant? At sa iyong informant...

MS. CAMORA. Sa agents.

REP. LARA. ...na cash ang natanggap, na bibili siya ng medicine, iyon ba iyong explanation dito?

MS. CAMORA. Explanation po nila, Mr. Chair.

REP. LARA. Kasi same, same iyong issue doon sa various goods kanina—cash binigay tapos iyong cash binili ng goods. In like manner, dito sa medicine, cash binigay; binigay na good...na medicine. Tama ba iyon, Mr. Chair?

MS. CAMORA. Tama po, Mr. Chair.

REP. LARA. Okay. Ngayon, mayroon din kayong tinutukoy sa Notice of Disallowance na 3.5 million na ginamit raw pambili ng tables, chairs, desktop computers, and printers. Tama po ba ito?

MS. CAMORA. Tama po, Mr. Chair.

REP. LARA. Iyong confidential funds pinambili ng mesa at upuan, puwede po ba ito, Mr. Chair?

MS. CAMORA. Kaya po namin siya nilagay as an observation po kasi wala po siya sa joint circular.

REP. LARA. So, ang tanong ko dito na naman, Mr. Chair, kung na-disallow ito at balang-araw dalawa naman ang pupuntahan nito—na-disallow na pinababalik mo iyong pera, or na-disallow na ma-justify. Tama ba, Madam, Mr. Chair?

MS. CAMORA. Tama po, Mr. Chair.

REP. LARA. Okay. Kung na-disallow na pababayaran, babayaran. Paano kung na-disallow na na-justify, eh, 3.5 million ang worth nito pambili ng tables and

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chairs? Hindi ba dapat dadaan na naman ito sa proseso? Kasi hindi naman categorized as confidential funds siguro iyong pambili ng mesa, ng upuan, or printer?

MS. CAMORA. Mr. Chair, ang kailangan nilang i-justify is if confidential expense po ito. So, the moment na hindi po siya ma-justify as a confidential expense, disallowed na po talaga siya, Mr. Chair.

REP. LARA. So, 'pag hindi na-justify, iyon na nga. Kanina, Madam, 'no, Mr. Chair, kapag na-disallow dalawa ang pupuntahan—na-disallow, pababayaran; na-disallow na na-justify. Pero eto nga pambili ng upuan, 'no, at worth 3.5, hindi ba dapat na dadaan din sa proseso ito? Iyon lang iyong inaano ko.

So, anyway, tanong. Wala bang pondo ang OVP pambili ng tables and chairs na gagamitin pa ang confidential fund? Hindi ba puwede naman i-lodge ito on other, ha, as per...hindi ba, iyong mga budget naman ng iba-ibang ahensiya, iyong pambili kailangan pa ba confidential fund gagamitin dito? Kayo, as per your experience ninyo na mga auditors ng COA, kailangan ba confidential fund pa?

MS. CAMORA. Mr. Chair, hindi po kasi nila sinagot itong particular observation na ito, so hindi po namin alam iyong wisdom kung bakit po sinama, tsinards (*charge*) dito.

REP. LARA. So, kaya ninyo dinis-allow (*disallow*). O, ngayon iyong explanation nila when it comes to iyong binabanggit ninyo ngayon, hindi mo alam kung ano'ng wisdom nila, so tinanong ninyo o pinapasagot ninyo sa kanila?

MS. CAMORA. Yes, Mr. Chair, sa AOM.

REP. LARA. Yeah. Kung ano'ng wisdom nila, tama ba iyong pagkaintindi ko?

MS. CAMORA. Hindi naman po wisdom, Mr. Chair, pero the reason why these expenses were included as charged against the confidential funds when hindi naman po siya included sa listahan.

REP. LARA. Dapat.

THE CHAIRPERSON. Cong. Lara, you have one minute.

REP. LARA. Okay. Yes, Mr. Chair, tapusin ko na ito.

Anyway, Mr. Chair, iyon lang ang mga gusto ko lang na bigyan ng ano dito, just to stress a point here na itong mga proseso, at may mga items dito na sa tingin ko...at siguro naman na iyong mga nanonood sa atin ngayon once na sinabi confidential fund. At ito hindi mo naman kailangan na confidential fund pambili mo

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dito dahil justifiable ito kung sakaling ipi-present mo ito na pambili ng computer, table, 'no.

At panghuli ko na lang, Mr. Chair, 'no, follow up lang doon sa issue kanina, binanggit ni Chairman Paduano, ni Chairman Acop sa duration palagi ng COA reports natin. If ever, Mr. Chair, i-manifest ko na lang in the introduction...introduction of...kung sakali man magkakaroon tayo ng legislation to effect, 'no, itong mga...sakali na mapag-usapan iyong pagkagawa ng mga polisiya lalong-lalo na sa COA, na i-consider iyong time frame, duration, 'no, ng mga reports ninyo. Kasi it might happen na...ito kasi palagi kong sinasabi ito sa pagdinig lalo na nga, 'no, nag-start ito doon sa case namin sa Cagayan. It is a deterrent kasi. Kung mapabilis sana ang proseso natin, hindi na tayo aabot pa ng ganito, eh.

Palaging sinasabi ko, hindi titigil ang paglabag sa batas kung sakali, patayan, kung wala kang mahuli at walang makasuhan at walang masintensiyahan. It will...there's no deterrent anymore, na gagawin ulit iyan. So, ganoon din dito sa mga paglabag na ito. And, of course, i-ano ko na lang dito, Mr. Chair, na if I may suggest, 'no, para eto na, iyong mga COA auditors din. Kasi ang nangyayari dito, with due respect sa inyo, auditor, 'no, and other auditors, 'no, kung talagang trabaho lang talaga ginagawa natin with no intent na made-delay ito. Kailangan balang-araw 'pag talaga iyong very, very subjective ang pagiging cause of delay, dapat hold accountable din ang auditors at magkaroon din ng penalty, 'no, Mr. Chair, para maging deterrent din sa kanila.

'Pag kasi katulad nangyari sa Public Accounts, Mr. Chair, nagsabi iyong in charge to submit all the reports on a particular date, parang bale-wala lang, natatawa pa sila na magsabi. Hindi ba, Chairman Acop...

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REP. LARA. (Continuing)...Chairman Acop, 'no? They're...Parang wala silang...no sense of urgency, no sense of responsibility. Kahit ma-delay na, eh, ano pa...ano'ng cause? So, ito...ito lang, Mr. Chair, sana po mabigyan din natin ng pansin ito at karampatang mga legislation.

So, iyon lamang po, Mr. Chair. Maraming salamat.

THE CHAIRPERSON. Thank you po, Congressman Lara.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Yes, the Honorable Vice Chairman Acop.

REP. ACOP. Yes, bago ko po makalimutan. Kanina po, nagkaroon po kayo ng manifestation regarding doon po sa hindi pag-undergo ng ating Vice President na mag-take ng oath. May I know if that is also a motion to see to it that this...that such event will not become a precedent insofar as this...or the Committee hearings of this Congress are concerned.

THE CHAIRPERSON. That is the ruling of the Chair.

REP. ACOP. So, it becomes, shall we say, the...it has not changed our former rules and regulations.

THE CHAIRPERSON. Yes.

REP. ACOP. Thank you, Mr. Chair.

MR. TOMAWIS. Mr. Chair, may I clarify.

THE CHAIRPERSON. Yes, Mr. Tomawis of COA.

MR. TOMAWIS. For the regular audit po, ang timeline po ng transmittal or submission noong report, Annual Audit Report, which is September, end of the year...September of each year after doon sa audit period. So, for example po, for 2023 na Annual Audit Report, dapat po mai-transmit po sa Congress, sa OP and to the Management of the OVP on or before September 2024.

THE CHAIRPERSON. Thank you.

We will now proceed to the next interpellator. We will...Tapos na po tayo sa first round. Sa second round na po tayo. May isa lang pong nag-manifest.

The Chair would like to recognize the Honorable France Castro, the last interpellator.

REP. F. L. CASTRO. So, thank you, Mr. Chair.

Clarify ko lang sa auditor, so kung ang...ang...ang ano, 'no, ang confidential...confidential fund ay 2022, so kailan siya dapat na nagpapasa ng audit report? Confidential fund...

THE CHAIRPERSON. Atty. Camora.

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REP. F. L. CASTRO. ...used in 2022...

THE CHAIRPERSON. Who will answer, Atty. Camora? Atty. Camora, please reply.

MS. CAMORA. Mr. Chair, ang confidential fund audit po ay hindi regular audit. So, iba po iyong sinasabi ni Sir that time na...

REP. F. L. CASTRO. Okay. So, paano po sa confidential funds na nakasama din kasi siya, eh, doon sa GAA? Oo, nakasama siya na...na ginasta doon sa taon na iyon. So, paano iyong submission ng confidential funds, every quarter? Tama po ba?

MS. CAMORA. Opo. Yes, Mr. Chair.

REP. F. L. CASTRO. So, every quarter. So, iyong last quarter ng 2022, dapat nai-report...nai-submit na iyong report by?

MS. CAMORA. Wala pong timeline ang...sa Joint Circular, Mr. Chair.

REP. F. L. CASTRO. So, kaya pala, kaya pala noong...noong, Mr. Chair, noong tinatanong ko ito at in-expose natin ito noong...ng Makabayan ito noong 2023 na budget ay wala pa doon iyong ano, hindi pa sila nakapag-submit ng report. Tama?

MS. CAMORA. Yes po, Mr. Chair.

REP. F. L. CASTRO. So, 2022, August 2023, wala pa iyong audit report?

MS. CAMORA. Ongoing na po noon iyong audit, pero wala pa po iyong report.

REP. F. L. CASTRO. Okay. Ongoing na rin iyong report. Pero nakapag...nakapag-submit na sila ng report?

MS. CAMORA. Ah...ay, ng liquidation report, yes, Madam Chair.

REP. F. L. CASTRO. Oo, iyong liquidation. Okay.

Thank you, Mr. Chair.

So, Mr. Chair, hawak ko ngayon, ano, iyong Notice of Disallowance at saka iyong Accomplishment Report ng Office of the Vice President. So, nakikita natin dito iyong mga items. Mayroong limang items dito, Mr. Chair, dito sa Accomplishment Report, Utilization of Confidential and Intelligence Funds submitted by Gina Acosta, Special Disbursing Officer and approved by Sara Z. Duterte, the Vice President. Pero ito po ay pinirmahan din ano, sinertipay *(certify)* ni Gina Acosta as Special Disbursing Officer, certified po...certified, purpose of cash advance, duly accomplished by Sara Z. Duterte, Vice President; certified, supporting documents complete and proper, Chief Accountant Julieta L. Villadelrey. So, para alam po ninyo, 'no, saan iyong pinanggagalingan noong aking ano.

Okay. So, nakalagay po dito, Mr. Chair, nanggaling ito sa Office of the President, 'no,period covered, December 11 to December 31, 2022. So, ang ibig sabihin niyan, 11 days iyong utilization noong fund na 125. So, nakalagay dito, total amount is 125 million. Okay. Program, projects, activities per Physical and Financial Plan, mayroon iyang annex kung ano iyong mga activities niyan. Nakalagay dito, safe implementation of OVP initiatives and confidence building. Okay. Nakalagay dito rin, on second ano...second column, Mr. Chair, actual outcome and accomplishments, surveillance and monitoring. Nakalagay dito, Mr. Chair, letter (a), purchase of information, 14 million; payment of reward, 10 million; rental...rental of other incidental expenses relative to the maintenance of the safe houses, 16 million; letter (d) purchase of supplies, 35 million; letter (e), provision of medical and food aid, 40 million; letter (f), payment of incentives or travelling relative to the confidential operations, 10 million; conducted surveillance, Mr. Chair, 132 areas; letter (b), 100 percent implementation of activities without untoward security related incidents. So, iyong summary, amount of the period, December 21 to 31, 2022.

Okay. Isa-isahin natin, Mr. Chair. Dito sa Notice of Disallowance, based dito sa utilization, may binabanggit kasi dito, number three, non-submission of the Revised Accomplishment Report to the Office of the President, Senate President, Speaker...Speaker of the House, as required by item 5211 of the JC. So, iyong tinutukoy natin ano, iyong JC 2015-1. Okay. Non-submission of Revised Accomplishment. Eh, ito iyong Accomplishment Report. So, ano po iyong...ano pa iyong hinahanap ninyong Revised Accomplishment Report?

MS. CAMORA. Madam...Mr. Chair, hindi po iyong Accomplishment Report ang hinahanap namin, kundi proof na they submitted this revised report doon sa three bodies po.

REP. F. L. CASTRO. So, mukhang mali iyong inano ninyo, 'no—Non-submission of Revised Accomplishment Report...

MS. CAMORA. Opo, sa number three po.

REP. F. L. CASTRO. Ah, hindi pa sina-submit. By this time? Ito ba?

MS. CAMORA. Opo.

REP. F. L. CASTRO. Kailan ba iyon, August 8? By August 8, 2024? Ibig sabihin, hindi pa sina-submit iyong Accomplishment Report...Revised Accomplishment Report.

MS. CAMORA. Iyong revised po ang hindi pa po nila na-submit.

REP. F. L. CASTRO. Okay. Ano ba iyong Revised Accomplishment Report?

MS. CAMORA. Mr. Chair, ito po iyong revised. Ang original po kasi noon, hindi naka-breakdown po iyong expense accounts.

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REP. F. L. CASTRO. Okay. Can you ano...Mr. Chair, may I...may I ask the...the COA to...to submit the revised...

MS. CAMORA. Mr. Chair...

THE CHAIRPERSON. Please.

MS. CAMORA. ...ito na po iyong revised, iyong binasa ninyo po kanina.

REP. F. L. CASTRO. Ito na iyong revised.

MS. CAMORA. Opo.

REP. F. L. CASTRO. Okay.

MS. CAMORA. Iyong isang kasama niya pong...Dalawa po iyong sinabmit *(submit)* namin dati. Iyong first one na may whole amount na 125 million, iyon po iyong original na submission nila.

REP. F. L. CASTRO. Okay.

MS. CAMORA. And then, ito pong...

REP. F. L. CASTRO. So, iyong binasa ko kanina, ito na iyong revised.

MS. CAMORA. Opo.

REP. F. L. CASTRO. Ah, okay. Thank you. Kasi nalilito lang ako. Baka mayroon pang iba pang mga revised.

Okay. Mr. Chair, dito sa surveillance and monitoring, purchase of information, pasok ba iyan sa JC?

MS. CAMORA. Yes, Madam Chair.

REP. F. L. CASTRO. Okay, 14 million. So, paano ninyo masusukat itong ano, 'no? Paano ninyo...Ano ba iyong sukatan ninyo nitong purchase of information relative to the success noong ano, 'no, success noong mga...mga activities and projects, or whatever? Kasi 14 million iyan. So, ano iyong sukatan ng COA para masabi na...kasi hindi ninyo nilagay sa Notice of Disallowance, eh. So, ibig sabihin niyan, pasok sa criteria ng JC or pasok sa criteria ng audit. So, paano ninyo nasabi na pasok iyan doon sa JC?

MS. CAMORA. Nakapag-submit po sila, Mr. Chair, ng acknowledgement receipts from the informants.

REP. F. L. CASTRO. Okay. Okay. So, ang ibig sabihin, certificate of payment...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. F. L. CASTRO. (Continuing)...Certificate of Payment. Parang nakapag-submit sila ng Certificate of Payment.

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. Okay. So, purchase of information, sino ang nakalagay doon sa certificate? I mean, may tao ba...

MS. CAMORA. Iyong mga informants...

REP. F. L. CASTRO. ...iyong pinagbilhan nila ng...ng information, tao?

MS. CAMORA. Yes po, Mr. Chair.

REP. F. L. CASTRO. Ilan po iyong tao na pinagbilhan ng information?

MS. CAMORA. Marami po siya, Mr. Chair, eh.

REP. F. L. CASTRO. Ilan?

MS. CAMORA. Hindi po namin...

REP. F. L. CASTRO. Kung in-audit niyo ito, alam niyo ito.

MS. CAMORA. Hindi po namin alam iyong exact number.

REP. F. L. CASTRO. Well, Mr. Chair, next meeting ipakuha natin iyong number. Hindi naman natin kailangan kuhanin iyong names, iyong number lang nitong binayaran nila na pinagkuhanan nila ng impormasyon. Certificate of Payment daw, eh, nakapag-submit daw po, kumpleto.

THE CHAIRPERSON. COA, please take note of the manifestation of Congresswoman Castro.

MS. CAMORA. Noted po, Mr. Chair.

REP. F. L. CASTRO. Kung marami iyan, hundreds ba iyan, thousands ba iyan, millions ba iyan? Okay.

Purchase of information, so tao din iyong pinagbayaran. Ano ang pagkakaiba ng purchase of information sa pagbabayad ng reward?

MS. CAMORA. Mr. Chair, based po dito sa joint circular, ang reward presupposes na nagkaroon po ng success iyong information gathering kaya nagbigay po sila ng reward.

REP. F. L. CASTRO. Tao din?

MS. CAMORA. Tao din, Mr. Chair.

REP. F. L. CASTRO. Okay. So, payment...

THE CHAIRPERSON. COA, puwede pong pakilakas po ninyo.

REP. F. L. CASTRO. So, tao din iyong pinagbayaran nila ng reward?

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MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. So, iyong tao sa pinagbilhan nila ng information at saka iyong payment nila ng reward magkaiba?

MS. CAMORA. Puwedeng magkaiba iyan, Chair. Puwedeng magkaiba siya, puwedeng after ng information gathering kung may success po na iba, puwede pong same. Pero, as far as iyong nakita po namin, magkaiba po sila.

REP. F. L. CASTRO. Okay. I-submit din nila, Mr. Chair, kung ilan doon iyong magkasama or the same iyong binayaran nila ng information…purchase of information at saka binayaran nila ng reward worth 10 million.

THE CHAIRPERSON. COA, please take note of the manifestation of Congresswoman Castro.

MS. CAMORA. Noted po, Mr. Chair.

REP. F. L. CASTRO. Pero, Mr. Chair, inilagay mo dito "Notice of Disallowance". Take note ha, ang inilagay niyo dito "Notice of Disallowance".

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. So, ang ibig sabihin, wala pa iyan. Hindi niyo pa masasabi na talagang nakapag-submit sila ng mga documents relative to this 10 million na payment of reward.

MS. CAMORA. May particular document lang po kaming hinahanap, Mr. Chair.

REP. F. L. CASTRO. Ano?

MS. CAMORA. Iyong…

REP. F. L. CASTRO. Ano iyon?

MS. CAMORA. Ito po, iyong document evidencing the success of the information.

REP. F. L. CASTRO. Well, ito lagi na lang sinasabi iyong success, eh, sinabi nga dito, 'no. Paano niyo ba masusukat iyong success nung information na sinasabi niyo based doon sa sukatan niyo sa pag-o-audit?

MS. CAMORA. Minsan po…

REP. F. L. CASTRO. Nakapunta ba kayo doon sa mga activities?

MS. CAMORA. Minsan po may mga particular reports, kunwari, sa media or reports from other law enforcement agencies. Ganoon po.

REP. F. L. CASTRO. Okay.

MS. CAMORA. Kung ano man iyong…

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REP. F. L. CASTRO. So, ipakita niyo rin sa akin iyon. Mr. Chair, kuhanin din natin iyon....

MS. CAMORA. Mr. Chair...

REP. F. L. CASTRO. ...para malaman din natin kung talagang ano...

MS. CAMORA. Kasama...

REP. F. L. CASTRO. ...kasama iyon doon sa ano.

THE CHAIRPERSON. COA.

MS. CAMORA. Noted po, Mr. Chair.

THE CHAIRPERSON. Yes.

REP. F. L. CASTRO. Okay.

THE CHAIRPERSON. Please take note of the manifestation.

REP. F. L. CASTRO. Sinasabi dito, Mr. Chair, 105 activities out of 132 conducted surveillance areas attended by the Vice President and those conducted by all the offices during the period of December 13 to 31. Puwede bang...Nakita niyo po ba ito, 105 activities attended by the Vice President?

MS. CAMORA. Mayroon po sa accomplishment nila iyong 132 areas po.

REP. F. L. CASTRO. Yes, 132 areas. So, 105 doon in-attend-an ni Vice President. So, can we submit, Mr. Chair, iyong 132 areas na iyan?

THE CHAIRPERSON. COA, please take note of the...

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. ...manifestation.

Congresswoman, you have...

REP. F. L. CASTRO. Yes. Mr. Chair, ano na lang...

THE CHAIRPERSON. Please wrap up your interpellation.

REP. F. L. CASTRO. Konti na lang, Mr. Chair.

So, iyong...ito, iyong purchase of information, ito kinukuwestiyon ko pa rin ito, Mr. Chair, na pinayagan nila iyan, iyong payment of reward. Ito, nakalagay dito, Mr. Chair, "provision of medical and food aid". Dito sa accomplishment report nila, "provision for medical and food aid", which is 40 million pero ang nakalagay po dito sa Notice of Disallowance ninyo ay 34 million and 24 million, a total of 59 million 787 thousand. So, may discrepancy po.

MS. CAMORA. May part noon po kasi na hindi rewards, kung di, regular supplies na ginamit po nila sa confidential operations.

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REP. F. L. CASTRO. So, puwede po iyong medical and food aid.

MS. CAMORA. Yes, Madam Chair, Mr. Chair.

REP. F. L. CASTRO. Okay. So, ilagay niyo rin po iyong pinagayan ninyo.

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. Okay. So, payment of incentives or travelling relative to the confidential operations. So, puwede ba iyong incentives doon sa ating ano...?

MS. CAMORA. Part po ng explanation nila na hindi po incentives iyon, kung di, transportation lang po which is allowed naman po sa joint circular.

REP. F. L. CASTRO. Okay. Pero ang nakalagay sa report nila ay incentives. So, pinayagan niyo iyong buong 10 million, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. F. L. CASTRO. Okay. So, ito, Mr. Chair, sige i-ano natin...i-wrap up na natin.

So, ito, Mr. Chair, mayroong purchase of information, tao iyan, makikita natin later on sa submission. Payment of reward, I am assuming this is cash. Tapos nagbigay din ng reward, various goods. Nagbigay din ng reward na medicines...various medicines. Na ang ibig sabihin niyan, per day ay gumagastos sila ng 3.6 million a day para sa various goods, 2.26 million a day para doon sa reward considering na 11 days lang na ginamit...na ginamit itong mga amounts na ito. At kung titingnan natin, Mr. Chair, makikita natin talaga dito parang in 11 days walang pahinga, even December 25, December 31 o 30 na walang pasok talagang tuloy-tuloy iyong ginagawang pagsu-surveillance, at di natin alam kung paano iyon nagagawa. Okay.

So, iyon lang po, Mr. Chair, gusto natin makita talaga kasi nakikita natin dito, Mr. Chair, halimbawa, iyong report nila ng accomplishment report at saka iyong sinasabi dito na Notice of Disallowance, tingin ko mayroon pang dapat na i-disallow kung hindi ito mabibigyan.

Ito, iyong non...Ito, iyong sinasabing mga 3,500 na tables, chairs, puwede bang malaman ilan ito, ilang tables, ilang chairs, ilang computers itong 3.5 million?

MS. CAMORA. Ang documents po namin is iyong amounts po. So, kung ilan iyong number of tables or chairs, wala po kaming data noon.

REP. F. L. CASTRO. So, iyon pa lang, Mr. Chair, eh, pero, 'di ba, talagang ekis na ito doon sa confidential. Kasi 3,500 hindi natin alam natin kung ano ba iyan,

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binili ba talaga or gumamit lang sila ng…ng mga tables nila sa mga opisina o pinurchase *(purchase)*? So, talagang may ano, 'no, may misuse ng funds.

So, iyon na lang po, Mr. Chair, at itutuloy ko po iyong aking interpellation doon sa mga nabanggit kong mga pangalan kanina.

REP. F. L. CASTRO. Thank you, Mr. Chair.

THE CHAIRPERSON. Salamat po.

Last interpellator, huling hirit na po. Congressman Jojo Lara, you are recognized.

REP. LARA. Thank you, Mr. Chair.

Hindi, follow-up lang, nakalimutan ko lang. Relative doon sa binanggit ni Cong. Castro.

Actually, sinabi ko kanina sa inyo, Madam, Mr. Chair, iyong mga specifics and breakdown noong binabanggit ko itong mga disallowance. At binabanggit niyo kasi kanina na hindi pa naman final ito, 'di ba, na baka ma-justify…ma-justify ito or maging compliant sila, 'di ba, tama ba ako doon?

MS. CAMORA. Tama po, Mr. Chair.

REP. LARA. Tama. Okay. Ngayon, doon sa 73 million 287 thousand na na-disallow, 'pag compliant o ma-justify walang problema. Pero…

MS. CAMORA. Tama po, Mr. Chair.

REP. LARA. Pero, ito na, once na hindi sila maging compliant, so ibig sabihin, ginamit ito for non-confidential expense, tama?

MS. CAMORA. Tama po.

REP. LARA. So, ulitin ko, balikan ko lang iyong issue ko kanina. Kung sakaling maging final, with finality na ma-disallow ito at ma-categorize not as a confidential fund but a non-confidential fund, may posibilidad ba ito na ipa-a-account niyo lang at may paglabag ulit dito sa proseso kung in case dumaan ito o iyong mga sinasabi natin kaninang procurement of goods, procurement of medicine, and of course iyong procurement ng office furniture?

MS. CAMORA. Mr. Chair, 'pag na-finalize na po iyong Notice of Disallowance, kailangan pong mag-settle nung mga liable persons…

(MS. JOY S. JARA TOOK OVER)

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MS. CAMORA. (Continuing)...liable persons na po.

REP. LARA. So, either ibabalik?

MS. CAMORA. Ibabalik po talaga iyon...

REP. LARA. Ibabalik nila.

MS. CAMORA. ...Mr. Chair.

REP. LARA. Iyon lang ang magiging ano ninyo, recommendation, if ever maging final iyan?

MS. CAMORA. Pagna-final na po...

REP. LARA. Yes, if ever...

MS. CAMORA. ...Mr. Chair.

REP. LARA. ...maging final, iyon ang magiging recommendation?

MS. CAMORA. Although, Mr. Chair, after pa ng COA, mayroon pa po silang...

REP. LARA. Yes, yes, tama ka pero as far as COA is concerned, if with finality, na non-compliance siya at hindi niya ma-justify, the recommendation will be iyong rekomendasyon ninyo, ibabalik iyong pera, tama?

MS. CAMORA. Yes, Mr. Chair.

REP. LARA. So, iyon lang, Mr. Chair, maraming salamat po.

THE CHAIRPERSON. Thank you.

Any other matters?

REP. ACOP. In relation to the issue raised by the...

THE CHAIRPERSON. Yes, Congressman Acop.

REP. ACOP. ...Honorable Lara.

THE CHAIRPERSON. Please proceed.

REP. ACOP. Kapag naging...nag-final iyong notice of disallowance, restitution ang mangyayari, 'di po ba?

MS. CAMORA. Tama po.

REP. ACOP. But supposing there are laws of the land violated, paano po iyong action ninyo?

MS. CAMORA. Violations ng...

REP. ACOP. Eh, kasi marami kaming naimbestigahan na nangyari, nangyaring ganoon, eh. So, if in the process of your...the conduct of your audit you will find out that there are certain laws violated by the...by the head of the agency, ano po iyong recourse ninyo?

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MS. CAMORA. Is that in relation to the confidential funds pa rin po, Mr. Chair?

REP. ACOP. Kahit na anong pondo when you conduct an audit.

MR. LAPITAN. Mr. Chair, in case of appeal of the notice of disallowance, the Commission Proper may refer or may refer or provide other sanctions. Like for example, Sir, Your Honor, the Commission Proper may refer it to the Ombudsman for appropriate filing of the case or may order to restitute the amount...

REP. ACOP. Yeah.

MR. LAPITAN. ...disallowed.

REP. ACOP. That is a matter of protocol...

MR. LAPITAN. Yes.

REP. ACOP. ...for COA?

MR. LAPITAN. Yes.

REP. ACOP. It is a matter of protocol?

MR. LAPITAN. It's, actually, depends on the Commission Proper.

REP. ACOP. Yeah, kasi kung may violation of law, sinong magpa-file kung hindi ninyo ire-refer sa Ombudsman or the appropriate agency? Iyon po iyong katanungan ko. If in the process of the conduct of your audit, you can see that there are violations of law...

MR. LAPITAN. Yes, Mr...

REP. ACOP. ...bakit magiging matter of course? Dapat it is mandatory on your part to refer it to the appropriate agency for investigation and the filing of the necessary cases.

MR. LAPITAN. Yes, that's correct, Mr. Chair.

REP. ACOP. Yes.

Thank you, Mr. Chair.

REP. LARA. Mr. Chair.

REP. PADUANO. Mr. Chairman.

REP. ABANTE. Mr. Chair.

REP. LARA. If I may add lang...

THE CHAIRPERSON. Yes.

REP. LARA. One point.

THE CHAIRPERSON. Last...

REP. LARA. Yeah.

THE CHAIRPERSON. ...Congressman Jojo Lara.

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REP. LARA. Of course, iyong other charges that goes with the disallowance, 'di ba, kayo din magre-recommend doon or the Commission ang magre-recommend?

MR. LAPITAN. Mr. Chair, the Commission.

REP. LARA. The Commission will recommend iyong charges kasi kayo magpa-file, 'di ba?

MR. LAPITAN. No, Mr. Chair. Recommendation to the appropriate agency like the Ombudsman for the filing of the appropriate charges, Mr. Chair.

REP. LARA. For the filing of appropriate charges?

MR. LAPITAN. Yes, Mr. Chair.

REP. LARA. So, it will be up to the Ombudsman to determine? Sila ang bahala mag-determine kung anong mga charges?

MR. LAPITAN. Yes.

REP. LARA. Basing doon sa findings ninyo?

MR. LAPITAN. Yes, Your Honor, Mr. Chair.

REP. LARA. Okay. Thank you, Mr. Chair.

REP. PADUANO. Mr. Chairman...

REP. ABANTE. Mr. Chair.

REP. PADUANO. ...last one point lang po.

THE CHAIRPERSON. Yes, Congressman Caraps.

REP. PADUANO. In relation to the query asked by Cong. Acop, Chairman Acop, kasi iyong unang narinig ko is "may" pero klinir *(clear)* niya. That's your mandate. So, mandatory dapat, 'di ba? That's mandatory that the agency, the COA, should recommend to any quasi-judicial body, 'di ba, or doon sa regular court, 'di ba? Depende po sa COA but mandatory dapat iyan, 'di ba?

MR. LAPITAN. Mr. Chair, usually kasi kapag violation of laws, talaga pong nire-refer namin iyan sa Office of the Ombudsman.

REP. PADUANO. Ang tanong kasi ni Chairman Acop by any violation of laws. So, mandatory iyan for the COA to recommend.

MR. LAPITAN. Yes, Mr. Chair.

REP. PADUANO. 'Di ba? When in fact...in fact, if there are cases filed in the Ombudsman, mandatory din kayo na dapat i-submit all those findings as supplemental evidence with regards to the case, 'di ba?

MR. LAPITAN. Yes, that's correct, Mr. Chair.

REP. PADUANO. So, it is not "may" but they are mandatory.

REP. ABANTE. Mr. Chair.

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THE CHAIRPERSON. Yes, Congressman Abante.

REP. ABANTE. There are certain officials that should be invited in the next hearing, DEPED officials. I would like to move to include the former Chairman of the Bids and Awards Committee, Atty. Lemuel G. Antonio or Tonio and other officials competent to answer questions on the agency's budget as well as the bid documents for computers purchased from 2022 to 2024, August 31, 2024 and teachers as well who are actually end users. So moved, Mr. Chair.

REP. ACOP. Second.

THE CHAIRPERSON. The motion is duly seconded. Is there any objection? Hearing none, the motion is carried.

Mayroon pa po bang matters na gusto pong i-discuss? Kung wala na po...

REP. GUTIERREZ. Mr. Chair, motion to suspend.

THE CHAIRPERSON. Yes. Is there any second?

REP. ABANTE. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the hearing is now suspended.

The meeting was suspended at 04:12 p.m.

CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

THELMA M. RETUBA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

AIDA P. MOLINYAWE
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

FLORISA M. PADA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

KRISSA MAE S. SALDEVAR
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

JOY S. JARA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

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House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

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Service Director
Date: 08 April 2026
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DATE : 25 September 2024

TIME : 10:00 A.M.

VENUE : People’s Center Building
House of Representatives
Batasan Hills, Quezon City

REP. JOEL R. CHUA - **CHAIRPERSON**

ATTY. SHERYL CHRISTINE V. LAGROSAS - ACTING COMMITTEE SECRETARY

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The meeting was called to order at 10:18 a.m.

THE CHAIRPERSON. The Committee hearing of the Committee on Good Government and Public Accountability is now called to order.

May I request everyone to please stand up for the invocation to be led by the Honorable Jude Acidre.

REP. JUDE A. ACIDRE. In the name of the Father and of the Son and of the Holy Spirit. Heavenly Father, we come before You today with humble hearts as we begin this congressional investigation. We ask for Your guidance and wisdom as we seek the truth and uphold the values of transparency, justice, and accountability in governance. Bless each Member of this Committee with clarity of mind and integrity of spirit and a sincere dedication to the common good. Grant us the courage to ask the right questions, the patience to listen with discernment and the wisdom to act in ways that honor the trust of the people we serve.

Lord, we lift up to You our nation and all those who are affected by the deliberations that we will hold today. May this hearing be a step towards restoring confidence and public institutions and ensuring that governance remains a tool for the welfare and progress of all. Guide us, O Lord, so that in all we do, Your will be done and Your justice be reflected in all our actions, for yours is the kingdom, the power and the glory, now and forever. Amen. In the name of the Father, the Son, the Holy Spirit. Amen.

THE CHAIRPERSON. Please remain standing for our national anthem.

Singing/Playing of the Philippine national anthem.

THE CHAIRPERSON. Puwede na po tayong umupo.

We will now proceed to the roll call. Do I hear a motion to dispense with the calling of the roll?

REP. FAUSTINO "INNO" A. DY V. Mr. Chair…

REP. DAVID "JAY-JAY" C. SUAREZ. Mr. Chair, I move…

REP. F. A. DY. …I move to dispense with the calling of the roll.

REP. FRANCISCO PAOLO P. ORTEGA V. Second.

REP. SUAREZ. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

Magandang-magandang umaga po sa inyong lahat. We will…sa araw po na ito, tayo po ay muling magbubukas ang ating hearing para po tayo ay talakayin ang

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mga napakahalagang paksa. Pero bago po tayo magsimula, nais ko po munang i-recognize ang mga Mambabatas na nandirito po.

The Chair would like to recognize the presence of the Honorable Deputy Speaker David "Jay-Jay" Suarez from 2nd District, Quezon; the Honorable Ramon "Rodge" Gutierrez of 1-RIDER Party List; the Honorable Rolando M. Valeriano, 2nd District, City of Manila; the Honorable Romeo Acop, Vice Chairman, 2nd District, Antipolo City; the Honorable Vice Chairman Jefferson Khonghun, 1st District, Zambales; the Honorable Ricardo Cruz, Lone District, Taguig, Pateros; the Honorable Raoul Danniel Manuel of the KABATAAN Party List; the Honorable Francisco Paolo Ortega, 1st District, La Union; the Honorable Faustino "Inno" Dy, 6th District, Isabela; the Honorable Deputy Majority Leader Jude Acidre of TINGOG Party List; the Honorable Robert Ace Barbers of 2nd District, Surigao Del Norte; the Honorable Lordan Suan, City of Cagayan de Oro, 1st District; the Honorable Dan Fernandez of Santa Rosa City, Lone District; the Honorable Mikaela Angela Suansing of Nueva Ecija, 1st District; and the Honorable Joseph "Jojo" Lara, 3rd District, Cagayan.

May I request the ComSec to please recognize the guests and the resource person.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

As of 10:10 this morning, the following persons are present and invited in this hearing:

From the Commission on Audit, Assistant Commissioner Martha Roxana C. Sese, Executive Director…sorry. From the National Government Cluster 1 Executive Offices, Mr. Fahad Bin Abdul Malik N. Tomawis, State Auditor, Audit Team Leader; Mr. Marvin Joshua J. Palitic; Ms. Zarah Jane M. Fegalan. From Cluster 5 Education and Employment, Ms. Marivel C. Broñola; Ms. Imelda G. Celso, Supervising Auditor. From the Intelligence and Confidential Funds Audit Office, Atty. Gloria A. Camora; Ms. Xylene Mae L. Del Campo; Atty. Erwin E. Lapitan.

From the Department of Budget Management, we have Undersecretary Rolando U. Toledo; Director Elena Regina S. Brillantes; Ms. Genmaries Entredicio-Caong, Executive Director for Procurement Service; Atty. Haide Tan Espuelas, Director IV for Special Audit Office from the Commission on Audit.

We have here from the Bureau of Treasury, Officer-in-Charge, NCR Regional Office, Ms. Concepcion S. Austria; Atty. Jerekko A. Cadorna, OIC for Complaints and Investigations Division.

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From the Department of Education, Assistant Secretary Cilette L. Co; we have Undersecretary Epimaco V. Densing III; Undersecretary Atty. Mel John L. Verzosa; Undersecretary Gerard L. Chan; we have Assistant Secretary Malcolm S. Garma; ASec Dexter A. Galban; Undersecretary Omar Alexander V. Romero; Undersecretary Annalyn M. Sevilla; Undersecretary, Major General Nolasco A. Mempin; Assistant Secretary, Brigadier General Noel Baluyan; Assistant Secretary for Procurement, Mr. Reynold Munsayac; OIC Regional Director for Human Resource and Organizational Development, Wilfredo E. Cabral; Ms. Mary Antonette T. Bunyag, Senior Education Program Specialist; we have Mr. Ma. Rhunna L. Catalan, Chief Accountant; and former Head of Procuring Entity, Mr. Michael Poa. We also have from DEPED, Mr. Janir T. Datukan, Assistant Secretary; Director IV for ICTS, Mr. Ferdinand Pitagan; OIC Director for Finance Service, Cholita Tiong; Chief Accounting Division, Ma. Rhunna Catalan.

That's it, Your Honor, for the resource persons present as of 10:10 this morning. Thank you.

THE CHAIRPERSON. Thank you, Comsec. The Chair would like to recognize the presence of the Honorable Gerville Luistro of 2nd District, Batangas. Ma'am, good morning po.

We will now proceed to the next item, the approval of the minutes of the previous meeting. Do I hear a motion?

REP. ROMEO M. ACOP. Mr. Chair. Mr. Chair, may I be recognized?

THE CHAIRPERSON. Yes, Congressman Acop.

REP. ACOP. May I respectfully move that we dispense with the reading of the minutes of the previous meeting and consider it as approved. So moved, Mr. Chair.

REP. F. A. DY. Second, Mr. Chairman.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

Magandang-magandang umaga po sa inyong lahat. I would like to start by making some things very clear before we start the proceedings today. I have heard and I assumed many of us here have heard accusations and insinuations regarding this Committee and these proceedings implying that this is somehow a political exercise or an attack...

(MS. ELISA P. DELOSO TOOK OVER)

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THE CHAIRPERSON. (Continuing)...an attack on an individual. I would like to make things very clear; this is not the case. At this point, I will apologize to some of the people watching as I will be mentioning a lot of numbers during my remarks. This is necessary in order to make clear that it is not any enmity, passion, or hostility, which drives this Committee; it is simply a case of numbers that do not make sense.

This is why, if you would recall, last week's hearing focused on the issue of confidential funds. Ano ba ang confidential fund na ito at bakit ito importante? Ano ang kinalaman nito sa accountability?

Based on Joint 2015-01 of the COA, confidential funds are funds disbursed to, among others, national government agencies for their confidential expenses.

On the other hand, confidential expenses are those relating to surveillance activities which support the operations of the agency. So, sa madaling salita, ang confidential funds ay pera para sa mga operasyon nang pagbabantay at pagmamanman ukol sa mga aktibidad ng ahensiya.

While this may seem to be a very specific definition, we cannot help but notice that the joint circular provides very loose requirements for the release of confidential funds to agencies, and also requires less specific information and documents in order to liquidate and account for.

In Notice of Disallowance No. 2024-002-100, the COA disallowed the amount of over 73 million pesos, representing almost 60 percent of the 125 million pesos in confidential funds—Puwede po ba iyong slide? Paki-present—almost 60... 60 percent of the 125 million pesos in confidential funds allocated to the OVP in 2022. Equally significant is the fact that this amount was indicated to have been fully spent over the period of 11 days. Wala pang kalahating buwan naubos na daw ang 125 million, supposedly to fund surveillance of one... of 132 areas. This amounts to 11 million pesos spent per day for these surveillance activities conducted over the holidays. Lumalabas po mahigit 11 million po sa isang araw ang ginagastos po nila sa surveillance activities, kasama na po dito ang Pasko. I note that while these numbers are already staggering, this is only a portion of what this Committee is investigating and dealing with.

In Fiscal Year 2023, the OVP received half a billion pesos in confidential funds. This includes the 125 million mentioned above, disbursed in 2022. In addition to this amount spent in 11 days, the OVP has disbursed 125 million per quarter for the first three quarters of 2023. The entirety of which has been questioned by the COA through Audit Observation Memorandum o iyong tinatawag po nating "AOM."

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In other words, one of the 500 million we are talking about, only about 10 percent or 51 million has been definitively allowed by COA. Sa 500 million po, halos diyes porsiyento lamang po ang pinayagan ng COA at sinabing walang problema, at ito po ay nagkakahalaga ng 51 million.

When one goes deeper and looks at the liquidation reports for these disbursements, a disturbing pattern and similarity emerges with perfectly round numbers—ni isang sentimo po ay walang butal—being attributed to expenses such as medicine and food. Paulit-ulit po at parang kinapi *(copy)* paste ang liquidation ng confidential funds ng OVP.

With this in mind, to all, but the most biased observers, it should be very easy to see why this Committee has chosen to investigate the possibility of gaps in the regulation of confidential funds, as it is possible that we have seen these gaps exploited before our very eyes. What we have seen regarding the usage by the OVP of its confidential funds certainly gives this Committee and the country cause to want to find out the facts behind this, ultimately to fulfill this august Body's mandate of crafting effective laws and legislations to protect our people's hard-earned money.

This Committee is understandably very alarmed at these reports implying misuse of public funds, in particular, because of the astronomical—almost unimaginable amount of money involved. I must stress at this point that the sheer vastness of these potentially misused funds sets this matter apart from other instances of irregularity and disallowance. These amounts easily surpassed the threshold for the crime of plunder under our laws. It is incumbent upon us who are duty-bound to ensure that our legislation and regulations are effective enough to protect the money of the people to investigate and get to the bottom of these glaring irregularities.

As we begin today's hearing, I must make this clear, this Committee is not about politics, not about attacks. It is not even about the release or approval of any budget as some have implied. This investigation is not prompted by any motive other than a desire to make the numbers make sense. This Committee and these proceedings are about accountability. We seek to learn the truth of how public money—ang pera ng taong-bayan—is being used whether or not our current laws, rules, and procedures are sufficient to ensure the security and safety of these funds.

Maraming salamat po.

At this juncture, the Chair would like to recognize the presence of the Honorable Congressman from 1st District of Manila, Congressman Ernesto Dionisio,

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Jr; the Honorable Vice Chairperson Johnny Pimentel of 2nd District, Surigao del Norte; and the Honorable Amparo Maria Zamora of Taguig City, 2nd District.

In the previous hearing, we have requested our witnesses, guests, and resource persons to provide the Committee with certain documents. I am informed that DEPED complied and sent an electronic copy of the bidding documents of the Department of Education, particularly those relating to its procurement activities for 2022 and August 31, 2024. The Bureau of Treasury likewise sent fidelity bond documents of the OVP and DEPED for Calendar Year 2022 to 2024 as well as designation of employees…

(MS. ROSALINDA C. NOCUM TOOK OVER)

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THE CHAIRPERSON. (Continuing)...designation of employees of both agencies who are appointed as Special Disbursing Officers. The DBM has yet to comply with the request of the Committee to furnish the Committee a copy of the letter request of the OVP for the release of contingent fund and some requests for PS and MOOE in 2022 during the implementation of the 2022 budget.

Nandirito po ba iyong representative ng DBM?

MR. ROLANDO U. TOLEDO (Functional Group Head, Budget Preparation Execution, Department of Budget and Management). Yes, Mr. Chair, we'll provide the Committee of the letter.

THE CHAIRPERSON. Okay.

MR. TOLEDO. We are just having our clearance for the release of the documents, Mr. Chair.

THE CHAIRPERSON. Okay. Thank you. Maraming, maraming salamat po.

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Yes, the Honorable Deputy Speaker Jay Suarez.

REP. SUAREZ. Just an administration...admin matters, I noticed there are new faces present with us today. Thank you for your attendance to... in today's hearing. However, insofar as this is a continuation of the hearing last week and there are new faces, can I just ask if our new guests have taken their oath?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honors, our new guests haven't taken their oath, Your Honor.

THE CHAIRPERSON. So, they are not.

THE ACTING COMMITTEE SECRETARY. Yes.

THE CHAIRPERSON. Okay. Paki-take lang po ng oath iyong mga hindi pa po nakakapag-oath. Puwede po tumayo po kayo.

ComSec, paki-take po sila ng oath.

THE ACTING COMMITTEE SECRETARY. To all our new resource persons, witnesses and guests who are present and invited today, kindly standup and please raise your... please raise your right hand.

At this juncture, the resource persons stood up to take their oath.

THE ACTING COMMITTEE SECRETARY. Do you solemnly swear that the statements you will give before this Committee shall be the truth, the whole truth, and nothing but the truth. So help you God.

VOICES. I do.

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THE ACTING COMMITTEE SECRETARY. Your Honor, the oath has been administered. Thank you, Your Honor.

THE CHAIRPERSON. Okay. Since last hearing, iyong mga representative po noong ibang departamento ay nakapagbigay na rin po ng kanilang mga statements. Iyong mga hindi pa po, kagaya po ng DEPED at saka ng Bureau of Treasury, would you like to say something? May mga ready po ba kayong mga statement para gusto po ninyong sabihin dito sa Committee…

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. … we will recognize you. Sino po'ng gustong magsimula? DEPED, from DEPED po?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Yes, the Honorable Congressman Acop is recognized.

REP. ACOP. Thank you.

May I know from the ComSec if we have invited Atty. Zuleika Lopez, Atty. Lemuel Ortonio, Madam Juleita Villadelrey, Kevin Jerome Tenido, Atty. Rosalynne Sanchez, and Madam Gina F. Acosta? Have we invited them in the last hearing, Mr. Chair?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Good morning, Your Honor. Thank you for the recognition.

We have not invited them in the previous hearing, particularly… only Ms. Gina F. Acosta and Ms. Juleita Villaderey. However, the invitation sent to them, dated September 20, 2024, included only from the names mentioned by Congressman Acop, Rosalynne L. Sanchez, and Ms. Gina F. Acosta, and Ms. Juleita Villadelrey, I was informed that they are not present today, Your Honor.

REP. ACOP. They are not present today?

THE ACTING COMMITTEE SECRETARY. No, Your Honor.

REP. ACOP. And they were sent invitations to attend this hearing?

THE ACTING COMMITTEE SECRETARY. Yes. Actually, Your Honor, the content of the invitations was addressed to Vice-President Duterte stating that the Committee formally invites the attendance of the following officials and employees of the Office of the Vice-President, and thereafter, a list of employees from the OVP amounting to 17 employees, Your Honor.

REP. ACOP. May I move that…since they were invited and did not appear in this hearing, may I move, Mr. Chair, that we issue a show cause order, pursuant to our

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protocol, to the people who were invited but did not come to attend this hearing. So moved, Mr. Chair.

REP. JEFFREY F. KHONGHUN. Seconded.

REP. F. A. DY. Second the motion.

THE ACTING COMMITTEE SECRETARY. Your Honor...

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. ...may I please correct my previous statement. Atty. Lemuel Ortonio was also invited in the previous invitation, dated... for the hearing September 18. He was again invited in the September 20, 2024 invitation.

THE CHAIRPERSON. Is there any objection to the motion? Hearing none, the motion is carried.

REP. DAN S. FERNANDEZ. Mr. Chairman, point of information or...

THE CHAIRPERSON. Yes, Congressman Dan Fernandez.

REP. FERNANDEZ. This Representation wasn't able to... to be present in the last hearing. And being a Member of this Committee, I just wanted to be informed of the situation wherein... I was able to watch the...some commotion of the Members of the Committee and what I've learned is the... the problem of the rules that will govern this Committee. Can I be clarified or be informed of what really rules that will govern our Committee hearing.

THE CHAIRPERSON. Well, we will be guided by the Rules of the House with respect to the inquiry in aid of legislation. First... firstly, under the...

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Acop, you're recognized.

REP. ACOP. Since the good Honorable Fernandez was not present in the last hearing for reasons I do not know, there was a question, Your Honor, that was raised in the hearing held on 18 September 2024 whether we would follow the Rules of Procedure governing proceedings in this Committee. And there was also an issue raised that what we should follow should be the Rules... the House Rules of Procedure Governing Inquiries in Aid of Legislation. Kung matatandaan po ninyo, kung nanood po kayo, si Honorable Rodante Marcoleta questioned a provision of the Committee Rules, which allegedly we did not follow. Iyon po iyong dahilan. But if... if we look the...the issue at hand, Mr. Chair, I have here... I've prepared a manifestation regarding this issue para ma-satisfy or ma-clarify natin kung ano talaga dapat ang rules na masunod natin.

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May I be allowed to manifest, Mr. Chair?

THE CHAIRPERSON. Please continue, Congressman Acop.

REP. ACOP. Considering that the Rules of Procedure Governing Inquiries in Aid of Legislation was adopted subsequent to the Rules of Procedure Governing Proceedings before the Committee on Good Government, this humble Representation believes that it is the former that must govern and not the latter. This is the basic rule.

Section 21, Article VI of our Constitution states that inquiries, in aid of legislation, must be made in accordance with the duly published Rules of Procedure. I would like to repeat that, Mr. Chair, duly published Rules of Procedure of Congress. In other words, the Rules of Procedure that this Committee will follow are those Rules of Procedure that have been duly published in the Official Gazette. Following this constitutional mandate, Mr. Chair, this Committee is mandated to follow the House Rules of Procedure Governing Inquiries in Aid of Legislation, which was approved by the Plenary and published on 02 June 2023 in the Official Gazette.

On the other hand, as to the internal rules of this Committee, I understand that this has not been published. In this regard, the Supreme Court in Garcillano versus the House of Representatives, Committee on Public Information, GR Nos. 170338 and 179275 in the year 2008 emphasized that Congress cannot use... cannot use unpublished Rules of Procedure in the conduct of its legislative inquiry. This is not to say that the adoption of the internal Committee rules was wrong, as this provided guidance to the Committee in the conduct of inquiries, in aid of legislation, especially considering that at the time we adopted the internal rules, the House Rules of Procedure Governing Inquiries in Aid of Legislation has not yet been approved, adopted, or published.

So, Mr. Chair, having said that, I think I have the duty to...

(MS. JOSEPHINE F. AROMIN TOOK OVER)

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REP. ACOP. (Continuing)...duty to move and submit the motion for this Committee to confirm for clarity that it is the House Rules of Procedure Governing Inquiries in Aid of Legislation which governs this proceeding and not the Committee rules, Mr. Chair. So moved. Move to confirm.

THE CHAIRPERSON. There is a motion to confirm...

REP. FERNANDEZ. Mr. Chairman...

THE CHAIRPERSON. Yes.

REP. FERNANDEZ. ...before we move on that matter, 'no, because I...this Representation believes that the rules that will be governing our...our conduction of this Committee is based on the rules that was approved by the Plenary and was published in accordance with the provision of the Constitution under Article what? Article?

REP. ACOP. VI.

REP. FERNANDEZ. Article VI.

REP. ACOP. Yes.

THE CHAIRPERSON. Article VI.

REP. FERNANDEZ. Article VI. So, for that matter, before we take action on this...on this matter, can I be clarified on something that is very important, considering that I think the good Gentleman from Antipolo have said that, on August 2022, the rules of the Good Government and Public Accountability have adopted a rule that will govern them. And the House of Representatives on May 2023, as the good Gentleman have mentioned, have adopted and published the said rules. Having said those elements of time that transpired, 'no, from May 2020...from August 2022 to May 2023, and considering that the good government adopted that...that rules, what happened to the resolutions and privileges...privileged speeches that was delivered and was referred and undergone the procedure of preliminary determination by the Committee and the order of preliminary determination that was conducted by the Committee? Will it suffice to say that those hearings that were conducted must be stricken out of the Committee records?

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. Mr. Chair, for the benefit of the Gentleman from Laguna, as I've stated in my manifestation, noong wala pa pong na-approve na House Rules on Inquiry, ang ginagamit po natin ay iyong internal rules which was approved by the Committee. Iyon po. But when the House Rules governing legislative inquiry by

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Congress was approved, then it already superseded iyong ating internal rules. That is the stand of this Representation, Your Honor.

REP. FERNANDEZ. Thank you. And in…with the…

THE CHAIRPERSON. If…if I may add.

REP. FERNANDEZ. Okay. Go ahead. Ay, sorry. *(Laughs)*

THE CHAIRPERSON. Thank you po. If I may add…if I may add the manifestation of Congressman Acop. Basahin po natin iyong Section 18 ng ating internal rules dito po sa in aid of legislation. Sabi po dito, "The Committee tasks to conduct an inquiry may adopt internal rules of procedure." Ang ginamit pong word dito is "may". So, ibig pong sabihin dito, hindi po tayo obligado. Pupuwede po nating gamitin iyong rules of proce…internal rules of procedure natin pero hindi po tayo obligado. So, ano po ibig sabihin? Ang talagang obligado po talaga tayo dito ay ang gamitin natin ito pong House Rules na pinasa po sa Plenaryo at duly published. Dahil iyon po pag hindi po natin ginamit iyon, iyon po ay magiging inconsistent po sa ating Saligang Batas.

REP. FERNANDEZ. I think, Mr. Chairman, 'no, with that explanation from the good Gentleman from Antipolo and the Chairman, accordingly, if you're going to look at the Section 34 ng Rules natin, these Rules that have been adopted by the Committee must be also submitted to the…to the Plenary. And if it is find…it is been proven that it is inconsistent, 'no, with our own rules, eh, it is devoid of constitutional requirement, as mandated by the Constitution.

And one…one point of information as well, Mr. Chairman, because I'm trying to look at it right now, that these rules that was adopted by the Good Government is somehow redundant, repetitive, and I think it is preposterous considering that we have established under our own rules a Committee on Rules that established the determination, preliminary determination. We have 30 members on the Committee on Rules, and all the resolutions, all the privilege speeches that are being delivered on the Plenary are being referred to the Committee on Rules. And one of the functions of the Committee on Rules is to determine if there is…if there is a presence of being referred to that specific…specific committee. And in that case, Mr. Chairman, I believe that…this Representation believes that making a rule that is inconsistent with the rules that is being adopted by the Plenary is somehow, well, it's not abusive, it's not arbitrary, but somehow will have these…these House of Representatives spend so much effort, time, and resources for that matter.

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Kaya, I think, Mr. Chairman, I submit to the position of this Body, especially of Chairman Acop and the Chairman of this Committee.

Maraming salamat po sa impormasyon.

THE CHAIRPERSON. Thank you po.

We will now rule on the pending motion.

REP. F. A. DY. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman.

REP. F. A. DY. I second the motion of the Honorable Acop.

THE CHAIRPERSON. Okay. Is there any objection? Hearing none, the motion is carried. We will now confirm that it is the House Rules of Procedure Governing Inquiries in Aid of Legislation that will govern in these proceedings. Okay. Settled na po iyan.

We will now proceed to the interpellation proper. But before we proceed, I...this humble Representation is in receipt of a letter dated September 23, 2024, from the Office of the Vice President, which was signed by the Honorable Vice President Sara Z. Duterte. This letter was received on September 25. This is duly noted. We will now proceed to the interpellation proper.

The first to interpellate...mayroon na po pala akong list dito. Kung sino pa po ang gustong magpalista, lumapit lang po sa ComSec para po sa ating...para maging maayos po iyong ating interpellation. We will proceed first to the Honorable Congressman Acop.

REP. ROBERT ACE S. BARBERS. Mr. Chairman, just a...

THE CHAIRPERSON. Yes, Congressman Robert Barbers, you are recognized.

REP. BARBERS. Thank you, Mr. Chairman.

Mr. Chairman, consistent with the motion that was approved by the House...by the Committee, which states that the rules that the Committee will adopt will be the Rules of Procedure Governing Inquiries in Aid of Legislation...

THE CHAIRPERSON. Yes.

REP. BARBERS. ...as adopted by the Plenary.

THE CHAIRPERSON. Yes.

REP. BARBERS. And consistent...

THE CHAIRPERSON. And duly published.

REP. BARBERS. And duly published, yes. And consistent with that motion, Mr. Chair, during the last hearing, there was a question raised by a non-member in

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the person of Honorable Colleague, Congressman Dante Marcoleta. And as I understand, non-members of the Committee may not make any motions in the committee, in the proceedings. And while the jurisdictional issue was raised via a manifestation by Representative Marcoleta, it was a motion which ended with a request that this Committee terminate its proceedings. May I know the action of the Committee, Mr. Chair?

THE CHAIRPERSON. It was denied, considering that Congressman Marcoleta is not a Member of this Committee. Hence, he cannot raise a motion.

REP. BARBERS. So, therefore, the motion of Congressman Marcoleta…

THE CHAIRPERSON. Out of order.

REP. BARBERS. …is ruled out of order?

THE CHAIRPERSON. Yes.

REP. BARBERS. So, was there any motion for reconsideration on that particular decision?

THE CHAIRPERSON. Wala po. Wala po dahil hindi naman po siya member…

(MS. PRECIOSA V. BALDONAZA TOOK OVER)

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THE CHAIRPERSON. (Continuing)...hindi naman po siya member.

REP. BARBERS. Okay.

THE CHAIRPERSON. In the first place, wala po siyang *locus standi* to present a motion.

REP. BARBERS. So, it is clear that a non-member of the Committee may not or cannot make any motion and...

THE CHAIRPERSON. And he cannot even vote.

REP. BARBERS. ...and he cannot even vote.

THE CHAIRPERSON. Tama po.

REP. BARBERS. Okay. Maraming salamat, Mr. Chair.

REP. FERNANDEZ. Mr. Chairman...

THE CHAIRPERSON. Yes, Congressman Dan Fernandez.

REP. FERNANDEZ. ...another point of information also. May we remind all the Members of the House of Representatives to also adhere, with the ano, with the clarification that was entered by Chairman Barbers, to remind our Members of the House of Representatives, ano, that are not member of any Committee to submit themselves to the Plenary approval prior to being a member of any specific Committee. Because all of the Members of this Committee, and I, myself, if I wanted to be a member of any specific Committee, I ask the permission of the Plenary. And with that, we can avoid some confusion and debate in the Committee itself, and that entails time element. Kasi na...aside from nadi-disturb po iyong discussion, this entails also the intention of delaying the investigation that every Committee are conducting.

With that, Mr. Chairman, I hope that it's a clarification to all the Members of the 19th Congress. Maraming salamat po.

REP. BARBERS. Mr. Chair, just a parliamentary inquiry.

THE CHAIRPERSON. Yes, Congressman Barbers.

REP. BARBERS. May I know if Congressman Fernandez and myself is a member of the Committee?

THE CHAIRPERSON. Yes, you are both Members.

REP. BARBERS. Maraming salamat.

REP. FERNANDEZ. Mr. Chairman, I applied. I applied and I put myself in the Plenary. Thank you so much, Mr. Chairman.

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THE CHAIRPERSON. Thank you. And besides, the Committee already ruled with respect to the jurisdiction and the…iyon pong statement po ni Congressman Marcoleta is moot and academic na po dahil po naka-take na po tayo ng jurisdiction.

Is there any concern?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Yes, we will now…Are we going to proceed with the interpellation, or this is a...

REP. ACOP. No. I would just like to make a comment on the...

THE CHAIRPERSON. Yes, please proceed, Congressman Acop.

REP. ACOP. Yes. Now, since the rule read by the Honorable Barbers stated that non-members of this Committee may not make any motions, and we had a non-member who state a motion, the question is, what should we do with the motion? I said, it's out of order. Now, are we not supposed to move to strike it out of the minutes, Mr. Chair?

THE CHAIRPERSON. Is there any motion? Do I hear a motion?

REP. FERNANDEZ. I think it is incumbent upon us to have the motion to strike it out from the records of this Committee, because this will take a bad precedent, Mr. Chairman.

THE CHAIRPERSON. Yes.

REP. FERNANDEZ. So, I move that we strike out the motion that was delivered and manifested by Congressman Marcoleta.

THE CHAIRPERSON. Is there any second to the motion?

REP. ACOP. Second.

REP. SUAREZ. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

We will now proceed to the interpellation. Congressman Acop will be the first interpellator. Please proceed, Congressman Acop.

REP. ACOP. Thank you, Mr. Chair.

Most of the questions that my staff has prepared would concern Madam Gina F. Acosta, the Special Disbursing Officer of the Office of the Vice President. I think she is not present today. Is she?

ComSec, present ba si Madam Gina Acosta? Kasi, siya ang kuwan, eh, supposedly, the Special Disbursing Officer.

THE ACTING COMMITTEE SECRETARY. No, Your Honor.

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REP. ACOP. She is not present. So, Mr. Chair, my questions would wait for the time that Madam Gina F. Acosta would be present in the next hearing. But I would just like to ask some questions from COA, if they are present this morning.

THE ACTING COMMITTEE SECRETARY. Yes, Sir.

REP. ACOP. Thank you. Kailan po ninyo ini-release iyong COA Audit Report niyo regarding the Office of the OVP regarding the use of the amount of 125 million under line item Confidential Expenses? Kailan po ninyo na-release iyong COA report ninyo?

THE CHAIRPERSON. Sino po ang sasagot? Attorney—Sorry, hindi ko po makita iyong pangalan.

Atty. Camora from COA, please proceed.

MS. GLORIA A. CAMORA (Attorney V, Intelligence and Confidential Funds Audit, Commission on Audit). Good morning, Mr. Chair. As to confidential...intelligence and confidential funds, we do not issue any audit reports, just the audit actions, Mr. Chair.

REP. ACOP. Audit action?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Okay. Thank you for the clarification.

Now, when was the confidential fund in the amount of 125 million transferred to the Office of the Vice President?

THE CHAIRPERSON. Sino po ang sasagot?

MS. CAMORA. It was in December...

THE CHAIRPERSON. Atty. Camora.

MS. CAMORA. December. Mr. Chair, may I be clarified? The cash advance, Mr. Chair?

REP. ACOP. Yes. When was the fund, the 125 million amount, transferred to the Office of the Vice President?

MS. CAMORA. Mr. Chair, the fund was received on December 20, 2022, Mr. Chair.

REP. ACOP. Okay. Thank you.

Now, on 25 September 2023, according to reports ay kayo po ay nag-confirm, maybe because of reports na galing po sa Office of the Vice President, na the amount of 125 million confidential funds was spent in 11 days.

MS. CAMORA. Mr. Chair, based on their liquidation reports, opo.

REP. ACOP. Kayo po ang nagsabi nito in your report.

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MS. CAMORA. Wala pong report, Mr. Chair, but audit action po.

REP. ACOP. Oh, it's an audit action.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. At kino-confirm ninyo na iyong amount na 125 million was spent by the Office of the Vice President in 11 days, and that would be amounting to 11.3, thereabouts, million per day. Would that be correct? Tama po ba iyon?

MS. CAMORA. Mr. Chair, may I ask for the question to be repeated?

REP. ACOP. Ano po, uulitin ko po?

MS. CAMORA. Opo.

REP. ACOP. Ah...Kayo po, ah, nagko-confirm na ini-spent, in your liquidation...in the liquidation report that was submitted to you, kayo po ang nag-confirm na in 11 days naubos po iyong 125 million confidential funds. Tama po?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. And that is equivalent to spending 11.3 million a day, if it was spent...if the amount was spent in 11 days. Tama po rin po ba?

MS. CAMORA. Tama po, Mr. Chair...

REP. ACOP. Yes.

MS. CAMORA. ...based on their documents.

REP. ACOP. And iyong 11 days na iyon ay noong panahon na from 21 to 31 ng December 2022. Would that also be correct? O, tama po ba iyon?

MS. CAMORA. Based on their accomplishment report, tama po, Mr. Chair.

REP. ACOP. And that is at the height of the holiday season, matatapos na po iyong taon. Hindi po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. At lahat po ng ahensiya ng gobyerno nagmamadali na ma-spend iyong kanilang pera na nasa kanilang opisina. Hindi po ba? Kasi, ang nangyayari po, hindi ba, kung minsan, December 31, pinapaspasan po ng mga opisina ng gobyerno ang pag-liquidate po ng mga pondo na nasa kanila. Hindi po ba tama iyon? Alam ko po iyon dahil naging comptroller po ako ng Philippine National Police noong Chief PNP si Senator Lacson at iyon ang nangyayari.

Kayo po ang sasagot, hindi na po siya?

MS. SOFIA C. GEMORA (Director IV, Cluster 1, National Government Audit Sector Chairperson, Commission on Audit). That's correct po, Your Honor.

REP. ACOP. Yes.

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THE CHAIRPERSON. Paki address niyo po iyong Chair sa…at saka hintayin niyo po na i-recognize kayo. You are Ms. Sofia Gemora?

MS. GEMORA. Yes, Your Honor.

THE CHAIRPERSON. Okay. Please continue.

REP. ACOP. Kasi minamadali po nila, ng mga ahensiya, dahil, if you notice, iyong buwan ng Disyembre, normally, it has four…it has four non-working holidays….

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REP. ACOP. (Continuing)...non-working holidays. So, apat na ang nabawas sa 11 days para gastusin mo. Tama rin po ba?

MS. GEMORA. If I may add, Yonor Honor, to what Atty. Camora had said earlier, with regards to the 11 days report of our audit team—we are the audit team of the Office of the Vice President—so, looking at the records or the recording in the financial statements, we found out that the cash advance was drawn on December 20, 2022. And on December 31, looking at the financial statements, there was an expenditures recorded of the same amount, the 125 million. So, that was the reason why we...of course, it's correct to say that...that was, the 125 million was expended in 11 days, Your Honor.

REP. ACOP. Thank you, Madam.

Now, because of this, the COA issued a Notice of Disallowance dated 8 August 2024, disallowing the amount of 73 million 287 thousand from the 125 million confidential funds disbursed by the Office of the Vice President in 2022. Tama rin po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. Now, may I know kung ano po iyong mga dahilan po ninyo bakit nag-issue po kayo ng Notice of Disallowance doon po sa expenditure on confidential funds by the Office of the Vice President, puwede po bang malaman iyong rason po ninyo?

THE CHAIRPERSON. Atty. Camora.

MS. CAMORA. Mr. Chair, our reasons were indicated po at the ND. I would like a run...I'd like to make a rundown po. Iyong may issue po sa payment of rewards nila, may issue sa payment of charging payment for tables, chairs, desktop computers and printers to the confidential fund, and also a non-submission of the revised accomplishment report, Mr. Chair.

REP. ACOP. Iyon po iyong...iyon po iyong official reason why COA issued a Notice of Disallowance. Tama rin po?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. Now, may I ask, mayroon po siguro kayong breakdown ng expenditure of the confidential funds, mayroon po ba kayo?

MS. CAMORA. Mr. Chair, mayroon po sa accomplishment report.

REP. ACOP. Yes, and iyong...iyong breakdown po ng expenditure ng 125 million nasa inyo po sigurado iyon. Tama rin po?

MS. CAMORA. Tama po, Mr. Chair.

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REP. ACOP. Now, may I know kung saan po nagastos ng Office of the Vice President iyong 125 million. Was it spent in accordance with the rules, regulations, and protocol on the expenditure or the use of the confidential funds? Nasunod po ba iyon?

MS. CAMORA. Yes, Mr. Chair, as indicated sa accomplishment report po, nasunod…na-liquidate naman po nila based on confidential expenses as required by the joint circular po, Mr. Chair.

REP. ACOP. If I may, alam naman po ninyo iyong Section 4.8 of Joint Circular No. 2015-01…

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. …on the use of confidential funds?

MS. CAMORA. Opo, Mr. Chair.

REP. ACOP. Now, categorically, iyon po bang items na kung saan ginamit iyong…iyong confidential funds ay naaayon po dito sa circular na ito?

MS. CAMORA. Opo, Mr. Chair.

REP. ACOP. Eh, kung…eh, kung naaayon sa circular na ito, bakit po niyo…bakit kayo nag-issue ng Notice of Disallowance?

MS. CAMORA. Mr. Chair, as to iyong first finding, mayroon po kasing specific requirement ang joint circular na document na hindi po nila na-submit, or nag-submit sila pero hindi po sufficient siya to answer the requirement of the joint circular, Mr. Chair.

REP. ACOP. Na-mention kanina ni…ni Chairman, the Honorable Joel Chua, na in the accomplishment report of the…if I remember it right, mayroon pong ginamit na, if I… iyong surveillance in 132 places. Tama po ba, Mr. Chair, iyong…

THE CHAIRPERSON. Areas po iyon.

REP. ACOP. …narinig ko na iyon?

THE CHAIRPERSON. One hundred thirty-two areas po.

REP. ACOP. Yes.

THE CHAIRPERSON. Iyong 125 million, parang ginamit po iyan in 132 areas.

REP. ACOP. Yes. And, accordingly, it was 100 percent compliance. Hindi po ba, sa tingin ng COA, eh, medyo kuwan ito, medyo imposible?

MS. CAMORA. Mr. Chair, parang based on other ano parang okay lang naman po siya.

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REP. ACOP. Kami po ay gumagamit din po ng intelligence fund. Nanggaling po ako sa service, eh, at alam ko na mahirap gawin ito—I will…I will conduct surveillance in 132 areas in 11 days. Tapos kayo ngayon, sa COA, eh, sinasabi ninyo na posible pala ito. Samantalang kami, on the ground, na gumagawa nito noong ako'y nasa serbisyo, nahihirapan po kami. So, what is your basis na puwedeng sabihin…na posible ito, Madam COA?

MS. CAMORA. Mr. Chair, there are also deficiencies here.

REP. ACOP. No. Tinatanong ko lang po kayo kasi sa mata po ng COA, iyong mag-conduct ka ng surveillance activities in 132 areas in 11 days, para sa amin po na gumagawa nito in our use of intelligence funds noong ako po'y nasa serbisyo, nahirapan po kami, eh. Tapos sa mata pala ninyo, posibleng-posible pala ito. Tama po ba iyong aking kaisipan?

MS. CAMORA. Mr. Chair, ang identified lang po ay number of areas pero puwede din pong i-consider iyong kung ilan po iyong nabig…nag…kung ilang tao po iyong pinag-spendan *(spend)* ng funds, Mr. Chair.

REP. ACOP. But the liquidation report does not say so.

MS. CAMORA. Yes, Mr. Chair…

REP. ACOP. In-assume na lang ninyo iyon, eh.

MS. CAMORA. Mr. Chair, mayroon po silang submitted na mga documentary evidence.

REP. ACOP. Okay. Mr. Chair, those would be the questions that I would ask…I have asked from COA. Iyon po iyong aking inihanda. The others would pertain to Madam Gina F. Acosta.

So, marami pong salamat, Mr. Chair, for the opportunity to interpellate. Thank you.

THE CHAIRPERSON. Thank you po, Congressman Acop.

The next interpellator is the Honorable Congressman Rolando Valeriano.

REP. ORTEGA. Mr. Chair. Mr. Chair, quick question lang po.

THE CHAIRPERSON. Congressman Ortega…with the indulgence of Congressman Valeriano, the Chair would like to recognize Congressman Ortega.

REP. ORTEGA. Mr. Chair, I have noticed that there are some employees from the Office of the Vice President who are here. Are we gonna sit them as resource person or they just going to sit around the hall, Mr. Chair?

THE CHAIRPERSON. I was informed a while ago that the spokesman of the Vice Mayor is…

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VOICES. Vice President.

THE CHAIRPERSON. Ah, Vice...sorry, sorry, Vice President is representing the DEPED, not the Office of the Vice President. But I was told by the ComSec that a while ago, the OVP Chief of Staff, Atty. Zulueta *(Zuleika)* Lopez supposedly is present today but could not be located as of now.

May I know if Atty. Zulueta *(Zuleika)* Lopez is here inside the...

VOICE. Zuleika.

THE CHAIRPERSON. Ah, Zuleika, sorry. If Atty. Zuleika Lopez is present in this hearing?

REP. FERNANDEZ. Mr. Chairman, I think Usec. Poa is the spokesperson of the Vice President. Maybe he can answer on the...on your query considering that he knows all about the OVP.

THE CHAIRPERSON. Yes, would you like to please join us?

MR. MICHAEL WESLEY T. POA (Former Head of Procuring Entity (HOPE), Teacher End-users, Department of Education / Spokesperson, Office of the Vice President). Mr. Chairman, good morning...

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MR. POA. (Continuing)...good morning.

THE CHAIRPERSON. Yes...

MR. POA. Good morning to the Members of the...

THE CHAIRPERSON. ... Good morning, Usec. Poa

MR. POA. I have not seen Usec. Zuleika since I arrived this morning. And to be very honest with you, I do not know if she was even here today. But I don't think she is with us at the moment.

For the OVP matters, let me just manifest, Mr. Chair, Your Honors, that I only joined OVP po kasi itong August. So...

THE CHAIRPERSON. Ah, okay.

MR. POA. ... and only as a spokesperson, I am only a consultant in the Office of the Vice President as her spokesperson. So, sa totoo lang po, I will not be competent to answer any questions as regards iyong operations pa po talaga ng OVP sa... at this point, Your Honors.

REP. FERNANDEZ. Mr. Chairman, if I may.

THE CHAIRPERSON. Yes, Congressman Fernandez.

REP. FERNANDEZ. Was he not given authority to answer some queries from this Committee?

THE CHAIRPERSON. Do you have any authority from the...

MR. POA. Mr. Chair...

THE CHAIRPERSON. ...Office of the Vice President?

MR. POA. I... Mr. Chair, I was not given po any authority today. I am appearing today because part of the invitations given to the DEPED family also included my name. So, that is the only reason why I decided to appear po today before you.

THE CHAIRPERSON. Okay. Okay...

REP. FERNANDEZ. Okay.

THE CHAIRPERSON. ...po ba sa inyo iyon?

Okay. We will now proceed to the... But before I recognize Congressman Valeriano, the Chair would like to recognize the presence of Honorable Charisse Anne Hernandez of the Lone District of Calamba City. Good morning po, Ma'am... And Congressman Keith Flores. Yes. Good morning po.

Congressman Valeriano, please proceed.

REP. ROLANDO M. VALERIANO. Thank you, Mr. Chairman.

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Just a brief background lang po. Last August 13, 2024, iyong House Committee on Appropriations issued a *subpoena duces tecum* requiring the COA to submit dito po sa amin sa House Committee ng audit report on the confidential fund ng OVP and the DEPED for the years 2022 and 2023. Pero bago…after noon, a letter dated August 21 or six days before the House Committee on Appro was scheduled to hear, the OVP, through its Undersecretary and Chief of Staff, Attorney Lopez, advised COA against complying with the *subpoena duces tecum*.

So, iyong katanungan ko po sa COA—Commission on Audit—kay Ms. Martha Roxa… Ma'am, wala po yata si Honorable Cordoba?

MS. MARTHA ROXANA C. SESE (Assistant Commissioner, National Government Audit, Commission on Audit.). He is not…

REP. VALERIANO. Okay. Sa inyo na lang po, Ma'am.

MS. SESE. Yes.

REP. VALERIANO. Kung maalala ninyo po, mayroon pong *subpoena duces tecum* requiring the COA to submit to the House Committee in regards doon sa report ng confidential fund ng OVP and the DEPED for the Year 2022 and 2023, tama po?

MS. SESE. Your Honor, Mr. Chair… Your Honor…

THE CHAIRPERSON. Please wait to be recognized. Ms. Martha Roxan Sese, you are recognized.

MS. SESE. Yes. Mr. Chair, Your Honor, may I request for a repetition of the question, please?

REP. VALERIANO. Nakatanggap po kayo ng ano…ng *subpoena duces tecum* requiring the COA—kayo po—to submit to the House Committee the audit report on the confidential fund ng OVP and the DEPED para sa taong 2022 and 2023, tama po? Iyong letter po is dated August—I think—13, 2024…August 21, tama?

MS. SESE. Your Honor, may I please refer first to the Legal Services Sector representative…

REP. VALERIANO. Sige po.

MS. SESE. … because I am not privy to that very document.

THE CHAIRPERSON. May I know who will answer?

Atty. Camora, please answer.

MS. CAMORA. Yes, Mr. Chair, nag… nakatanggap po kami ng subpoena.

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REP. VALERIANO. Iyan. Iyong August 21, 2024, you received a letter from the OVP directly to Chairperson Cordoba. And it was personally... Ang sinasabi po roon, kung maalala ninyo, pinipigilan ang COA na mag-release ng details, tama po?

MS. CAMORA. Tama po, Mr. Chair.

REP. VALERIANO. Sino po ang nag-receive noong letter?

MS. CAMORA. Mr. Chair, sa Office of the Chairperson po.

REP. VALERIANO. Sa Office of the Chair. Binigay po ba...Anyway, wala si Chairman, pero baka kaya ninyo pong sagutin. Binigay po ba kaagad ito personally kay Chairman Cordoba or dinaan pa sa kanyang mga staff?

MS. CAMORA. Mr. Chair, hindi ko po alam kung kailan nabigay kay Chairperson, pero na-receive po ng ICFAO ng office namin. And then we... we elevated po the matter to the Chairperson.

REP. VALERIANO. Yes. Ano po ang naging aksiyon ng COA in regard to that letter?

MS. CAMORA. We complied with the *subpoena duces tecum*, Mr. Chair.

REP. VALERIANO. So, ang discretion po kung lawful at reasonable ang pag-comply sa mga subpoena or kung lawful excuse not to comply ay tanging... tama po, nasa inyo—nasa COA lang?

MS. CAMORA. Yes, Mr. Chair, mayroon pong COA Rules.

REP. VALERIANO. Yeah. At bilang constitutional independent body, hindi po maaaring diktahan basta-basta ang COA, tama po?

MS. CAMORA. Being an independent body, tama po, Mr. Chair.

REP. VALERIANO. Lalo na po kung ito ay in relation to the constitutional duties ng COA gaya ng pag-o-audit sa ahensiya ng kahit anong government agency, tama po?

MS. CAMORA. Tama naman po, Mr. Chair.

REP. VALERIANO. Under the presumption of regularity, ang COA ay kailangan mag-comply sa mga subpoena as a matter of course, tama po ba?

MS. CAMORA. Tama po Mr. Chair.

REP. VALERIANO. So, did the COA reply?

MS. CAMORA. Yes, Mr. Chair, we replied to the *subpoena duces tecum*.

REP. VALERIANO. Okay. Nagkaroon po ba ng exchange of correspondence—ng sagutan—iyong OVP at saka iyong COA in regards po doon sa request nila?

MS. CAMORA. Mr. Chair, parang wala na pong...

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REP. VALERIANO. Wala na.

MS. CAMORA. ... wala na pong response po...

REP. VALERIANO. So, sinunod ninyo iyong... sinunod ninyo po ba iyong directive ng OVP not to comply with the subpoena?

MS. CAMORA. Mr. Chair, iyong... hindi po. Ang nag-comply po kami iyong sa *subpoena duces tecum*.

REP. VALERIANO. So, ang COA po ay sumunod sa subpoena because they agree that Congress does have the power to subpoena these documents, correct?

MS. CAMORA. Mr. Chair, our rules also allowed... allow us to comply to *subpoena duces tecum* and other lawful orders po.

REP. VALERIANO. Yes, ang COA ay sumunod sa subpoena dahil ito ay inisyu *(issue)* batay sa power to conduct legislative inquiries ng Congress, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. VALERIANO. And COA likewise agrees that the audit of the confidential funds, which are government funds, are matters of public concern, tama po ba?

MS. CAMORA. Tama po.

REP. VALERIANO. Tama.

MS. CAMORA. In terms of audit po, Mr. Chair?

REP. VALERIANO. Yeah.

MS. CAMORA. Tama po.

REP. VALERIANO. And the public has the right to know, paano po ginagastos ang pera ng bayan, hindi po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. VALERIANO. And likewise, ang Kongreso ay may obligasyon—kami po dito—na siguruhin ang pera ng bayan ay ginagastos po sa tamang paraan, tama po?

MS. CAMORA. We submit po sa ano po...

REP. VALERIANO. And when the COA complied with the subpoena, ano po ba iyong response ng OVP, noong Office of the Vice President? Did the OVP reach out to COA again?

MS. CAMORA. Mr. Chair, wala po akong alam na nagbigay po sila ng further request or...

REP. VALERIANO. Or letter...

MS. CAMORA. ...letters...

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REP. VALERINAO. … nagpadala ba sila ng communication again? Hindi na po?

MS. CAMORA. Wala na po, Mr. Chair.

REP. VALERIANO. Were further attempts made by the OVP to force or compel COA not to comply with the subpoena, even a phone call or what?

MS. CAMORA. Wala naman po. I am not aware of any letter or any communication po.

REP. VALERIANO. Okay. Thank you, Madam.

Sa OVP po, mayroon bang puwedeng sumagot? Wala talaga si Attorney Lopez?

ComSec, how about Attorney Lemuel G. Ortonio? Nandito po?

THE ACTING COMMITTEE SECRETARY. Negative as well, Your Honor.

REP. VALERIANO. Again?

REP. ACOP. Mr. Chair.

THE ACTING COMMITTEE SECRETARY. Wala po.

REP. ACOP. With the indulgence of…

THE CHAIRPERSON. Congressman Acop, you are recognized.

REP. ACOP. … the Honorable Valeriano, before we leave the issue on the *subpoena duces tecum,* Your Honor.

THE CHAIRPERSON. With the indulgence of Honorable…

REP. VALERIANO. Yeah. Oo.

THE CHAIRPERSON. Please proceed, Congressman Acop.

REP. ACOP. Thank you, Mr. Chair…

(MS. ROSALINDA C. NOCUM TOOK OVER)

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REP. ACOP. (Continuing)...Thank you, Mr. Chair.

May... may I know if we have required the submission of the letter of the Office of the Vice-President, through Undersecretary and Chief of Staff Lopez, to the COA? Did we require COA to submit a copy of that letter to the Committee?

MS. CAMORA. Mr. Chair, wala po yata kaming...

THE CHAIRPERSON. Atty. Camora, before you answer, please wait to be recognized. May I recognize the ComSec?

THE ACTING COMMITTEE SECRETARY. Your Honor, thank you. Wala po, Your Honor. However, in the previous meeting, I was directed to write a letter to the Committee on Appropriations Chairperson to request for the documents submitted to them through the *subpoena duces tecum* filed or issued by the Committee on Appropriations, Your Honor.

REP. ACOP. No. May I move, Mr. Chair, that COA submits to us a copy of the letter of the Office of the Vice-President through Undersecretary Lopez?

THE CHAIRPERSON. There's a motion by the Honorable Acop to require COA to submit the letter of the Honorable Vice-President...

REP. ACOP. Through Undersecretary Lopez.

THE CHAIRPERSON. ... through Undersecretary Lopez. Is there any second to the motion?

REP. RAMON RODRIGO L. GUTIERREZ. Second the motion.

REP. SUAREZ. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. ACOP. Thank you, Mr. Chair.

REP. SUAREZ. Mr. Chair, with the permission of Congressman Acop. We have some representatives from the Office of the Vice-President available, baka mayroon po kayong kopya noong sulat na iyon? At kung may kopya po sila at dala-dala po nila, baka puwedeng maibigay na po nila ngayon iyong sulat, Mr. Chair.

THE CHAIRPERSON. Sino po'ng representative ng OVP ang nandirito po? Wala po yata.

REP. MIKAELA ANGELA B. SUANSING. Mr. Chair.

THE CHAIRPERSON. Sino iyon?

REP. SUAREZ. Si Sevilla, hindi ba...

THE CHAIRPERSON. Please identify yourself, please.

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REP. SUAREZ. Wait, wait. Mr. Chair, a point of... point of order lang, 'no. Earlier, there were...

THE CHAIRPERSON. What is the point of order?

REP. SUAREZ. Yeah. Earlier, there were representatives from the OVP. May I ask where they are now?

THE ACTING COMMITTEE SECRETARY. Your Honor, may I be recognized, Your Honor.

THE CHAIRPERSON. Yes, ComSec, you're recognized.

THE COMMITTEE SECRETARY. They were located at the corner of the room earlier, Your Honor, some of the representatives where they did not give the Committee Secretary their names, but they were and now they are not here, Your Honor.

THE CHAIRPERSON. Are you referring to Atty. Zuleika Lopez?

THE ACTING COMMITTEE SECRETARY. For clarification, Your Honor, there was an error in recognition of Atty. Zuleika. The observation of Cong. Acop is valid, wala po talaga siya. Hindi po umatend (*attend*).

THE CHAIRPERSON. Ah, wala talaga.

THE ACTING COMMITTEE SECRETARY. Mga... mga security po yata kanina iyong dumating, Your Honor.

THE CHAIRPERSON. Okay. Security lang po.

REP. M. A. B. SUANSING. Mr. Chair.

THE CHAIRPERSON. Yes... Sino po iyon?

REP. M. A. B. SUANSING. Mr. Chair, Cong. Suansing, Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Suansing.

REP. M. A. B. SUANSING. Mr. Chair, with regard to the letter being discussed at the moment, I also asked to confirm with Representative Luistro, this said letter was already requested and brought up during the second hearing for the OVP budget deliberations and this letter was already furnished to us during that Committee hearing.

THE CHAIRPERSON. So, we... we are already in receipt of the letter?

REP. M. A. B SUANSING. Yes. Mr. Chair, I'll defer to Representative Luistro because during the hearing itself, the representative from COA turned over that letter to Representative Luistro.

THE CHAIRPERSON. Yes. Congressman Luistro, you are recognized by the Chair.

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REP. GERVILLE "JINKY BITRICS" R. LUISTRO. Mr. Chair, I confirm the manifestation of the Honorable Suansing that during the budget briefing of the OVP, we requested the COA to submit to the Committee…Committee on Appropriations, the copy of the letter of the OVP opposing the *subpoena duces tecum* issued by the Committee on Appropriations.

So, may we inquire from the ComSec if we can get in touch with the Committee on Appro so we can be provided a copy of this letter opposing the subpoena, Mr. Chair.

THE CHAIRPERSON. ComSec, please take note of the manifestation of Congresswoman Luistro.

Congressman Dan Fernandez, you are recognized.

REP. FERNANDEZ. Yes. I just wanted to be clarified on the submission of that letter that was given to Honorable Jinky Luistro. Can I be informed who signed that letter?

REP. LUISTRO. It is a certain Atty. Zuleika, Chief of Staff of the Office of the Vice-President.

THE CHAIRPERSON. Chief of Staff of OVP.

REP. FERNANDEZ. Have we invited Atty. Zuleika?

THE CHAIRPERSON. ComSec. ComSec, did we invite Atty. Zuleika?

REP. FERNANDEZ. Have we invited her?

THE CHAIRPERSON. Did we send…

THE ACTING COMMITTEE SECRETARY. Yes

THE CHAIRPERSON. … an invitation?

THE ACTING COMMITTEE SECRETARY. Yes.

THE CHAIRPERSON. Yes.

REP. FERNANDEZ. And…

THE CHAIRPERSON. Unfortunately, Atty. Zuleika Lopez is not present.

REP. FERNANDEZ. How many times did we invite Atty. Zuleika?

THE ACTING COMMITTEE SECRETARY. She was invited in the September 18 hearing, Your Honor, and today as well, Your Honor.

THE CHAIRPERSON. So, two times already. But both…

REP. FERNANDEZ. Have we issued the…

THE CHAIRPERSON. …in both occasions, she did not appear.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

REP. FERNANDEZ. Have we issued, Mr. Chairman, a show cause order?

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THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

REP. FERNANDEZ. Ah, there's a motion already.

Thank you so much, Mr. Chairman.

REP. LUISTRO. Mr. Chair.

THE CHAIRPERSON. Yes, Congresswoman Luistro.

REP. LUISTRO. I just wish to manifest the three important arguments that were raised in the said letter. First is we allegedly violated the separation of power; second, we violated the due process; and, third, we violated the confidential nature of the fund which, during the briefing of... the budget briefing of the Office of the Vice President, we amply addressed already, Mr. Chair.

Mr. Chair, while we are waiting for the copy of that letter from the Committee on Appro, I shared the three arguments which were raised in the said letter. First is the separation of power rule; second is the due process; and third is the confidential nature of the fund. During the budget briefing, Mr. Chair, we amply addressed already these three issues.

THE CHAIRPERSON. Okay. Duly noted, Congresswoman Luistro.

REP. VALERIANO. Mr. Chair.

THE CHAIRPERSON. Yes. Please continue your interpellation, Congressman Valeriano.

REP. VALERIANO. Ang problem po, iyong sunod ko sanang tanong in regards doon sa letter na ginawa ni Atty. Lopez ay sa OVP na or any representative from the Office of the Vice President, pero wala po sila kahit isa, Mr. Chair. So, tinatapos ko na po iyong pagtatanong ko.

Mayroon na po bang ano, representative from the OVP?

THE CHAIRPERSON. Wala pa rin po. ComSec, tama?

THE ACTING COMMITTEE SECRETARY. May I be recognized, Your Honor?

THE CHAIRPERSON. Yes, ComSec, you are recognized.

THE ACTING COMMITTEE SECRETARY. I was informed by the registration that there was one representative who signed in the registration. Her name is Marie Kristelle Acsalan, while the rest did not register, Your Honor, and they are not here anymore. Marie Kristelle Acsalan signed the registration, Your Honor.

THE CHAIRPERSON. She signed in the registration?

THE ACTING COMMITTEE SECRETARY. Yes.

THE CHAIRPERSON. But she is not physically present?

THE ACTING COMMITTEE SECRETARY. She was here a while ago...

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THE CHAIRPERSON. She was here?

THE ACTING COMMITTEE SECRETARY. ... some of them were here awhile ago and now they cannot be located, Your Honor.

THE CHAIRPERSON. Okay.

REP. VALERIANO. So, with that, Mr. Chair, tine-terminate ko na po iyong ibang katanungan ko at antayin ko na lang po sa susunod na hearing pagka dumating na po iyong Office of the Vice President.

Salamat po, Mr. Chairman.

THE CHAIRPERSON. Thank you.

REP. SUAREZ. Mr. Chair, may I just...

THE CHAIRPERSON. Yes, Congressman... ah, Deputy Speaker Jay Suarez, you are recognized.

REP. SUAREZ. Thank you very much.

Mr. Chair, with the indulgence of my next interpellator, I just want to go back dito sa COA natin. Atty. Camora, opo, nabanggit ninyo po kanina na nakapag-submit po ng documents tungkol doon po sa liquidation ng 125 million in 11 days 'no?

THE CHAIRPERSON. Atty. Camora.

MS. CAMORA. Tama po, Mr. Chair.

REP. SUAREZ. Can...can you please submit to the Committee the documents that were submitted?

MS. CAMORA. Mr. Chair, since it was already subpoenaed by the Committee on Appropriations, we were... we can only comply through subpoena din po.

REP. SUAREZ. Okay.

THE CHAIRPERSON. It was subpoenaed by the Committee on Appropriations?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. So, nasa Committee on Appropriations po iyong documents. Tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Maybe we can ask the ComSec to request for a copy of the said... of the said documents.

REP. SUAREZ. Yes, yes, Mr. Chair. Actually, that was the next motion that I was gonna push forward that we request a copy of the documents that were transmitted to the Committee on Appropriations just so that we can go through these documents 'no.

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Thank you very much, Mr. Chair.

REP. LUISTRO. Mr. Chair.

REP. SUAREZ. And, of course, it should also include the 32 areas 'no.

THE CHAIRPERSON. Yes. Did you submit…

(MS. JOSEPHINE F. AROMIN TOOK OVER)

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THE CHAIRPERSON. (Continuing)…Did you submit the list of the 32 areas covered by the period of December 21 to December 31, 2022?

MS. CAMORA. Mr. Chair, we can provide the copies to the Committee upon issuance of subpoena din po.

THE CHAIRPERSON. Upon the issuance of *subpoena duces tecum.* Do I hear a motion for the issuance?

REP. SUAREZ. So moved, Mr. Chair.

THE CHAIRPERSON. There's a motion to issue a *subpoena duces tecum* with respect to the 32 areas covered…covering December 11…December 21 to December 31, 2022 with respect to the 125 million confidential fund. Is there any second to the motion?

REP. LUISTRO. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. LUISTRO. Mr. Chair.

THE CHAIRPERSON. Yes, Congresswoman Luistro, you are recognized.

REP. LUISTRO. I wish to go back to the letter opposing the subpoena issued by the Congress, specifically the Committee on Appropriations, Mr. Chair. I wish to manifest that the letter is dated August 21, 2024. So, I humbly submit that during this time, Atty. Poa is already connected with the Office of the Vice President and I wish to believe that he can enlighten us with respect to the questions to be propounded by the Honorable Valeriano, Mr. Chair.

THE CHAIRPERSON. Atty. Poa, would you please join us?

MR. POA. Mr. Chair. May I be recognized?

THE CHAIRPERSON. Yes, Atty. Poa.

MR. POA. I confirm the statement made by the Honorable Congresswoman that I was already, in fact, the spokesperson at that time, August 21, I believe. However, Mr. Chair, I really do not have the competence because I am not an employee of the OVP. I was only engaged to be the spokesperson at that point and so I was not part of the drafting of such letter and was not part of anything with that letter. But if there is anything that I can contribute, then I will be willing to do so, Mr. Chair.

THE CHAIRPERSON. Would you like to proceed, Congressman Valeriano?

REP. VALERIANO. Mr. Chairman, opo baka…

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REP. M. A. B. SUANSING. Mr. Chair, with the indulgence of Representative Valeriano.

THE CHAIRPERSON. Yes, Congressman Mika Suansing.

REP. VALERIANO. Go ahead.

REP. M. A. B. SUANSING. Very quickly lang po. May I ask, Mr. Chair, a clarificatory question on the motion a while ago? How many areas po iyong covered noong *subpoena duces tecum*?

THE CHAIRPERSON. One hundred thirty-two areas.

REP. M. A. B. SUANSING. Okay. Iyon lang, Mr. Chair. I just want to clarify po because I heard 32 po. So, we just wanted to make sure 132 is correct. That's correct, Mr. Chair.

Thank you very much po.

THE CHAIRPERSON. Thank you.

Just...to be clear, the motion was duly approved with respect to 132 areas. Okay po ba COA?

MR. POA. Mr...

THE CHAIRPERSON. Yes...

MR. POA. Mr. Chair.

THE CHAIRPERSON. Atty. Poa.

MR. POA. Again, my apologies. But, again, I just have to, at least, state for the record, Your Honors, that the Vice President did...really did not authorize me to represent her or the OVP in this proceeding po. I...I really am here because I was part of the invitees doon po sa DEPED invite na pinadala po.

REP. VALERIANO. So with that, Mr. Chair, hindi rin niya pwedeng sagutin iyong mga tanong ko in regards to the OVP, to the Office of the Vice President.

MR. POA. Opo. Mr. Chair.

THE CHAIRPERSON. Yes, please continue.

MR. POA. Gustuhin ko man po kasi hindi po talaga ako authorized. So I'm afraid whatever I say might also be questioned later on, Your Honors.

THE CHAIRPERSON. Okay.

MR. POA. Hindi talaga po ako in-authorize ng Bise Presidente natin, eh.

THE CHAIRPERSON. Okay. Thank you po.

We will now proceed to the next interpellator, the Honorable Dan Fernandez. Yes.

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REP. FERNANDEZ. Wala naman po akong masyadong tanong, Mr. Chairman. Medyo nakaka-worry lang po talaga itong 125 million for 11 days.

For the information of everybody, I become...became the Mayor of Santa Rosa and iyong confidential fund ko is like 7 million per quarter. And it's really hard for me to use, ano, to utilize that amount for 3 months. And this amount is so huge that needs to be investigated rightly.

Dito po sa...Mr. Chairman, you have presented something and I tried to secure the documents that you have presented a while ago. So I'll be dwelling on this information that you have given this Committee. I hope that the COA have the liberty to say something on this disallowed portion of that 125 million. And that was issued by COA, 'no, iyong 73 million. Doon po ba sa purchase of information, lumalabas po dito that 14 million is the purchase of information. And this was spent for 11 days. So, basically, it is 1.2 million per day for the purchase of information. What do you...what do you mean by purchase of information? Can you kindly explain to us what is purchase of information? Mr. Chairman.

THE CHAIRPERSON. Sino po'ng sasagot? Atty. Camora, please answer.

MS. CAMORA. Mr. Chair, based po on the joint circular regarding the guidelines on COA...confidential funds, purchase of information pertains to those information necessary for the formulation and implementation of program, activities, and projects relevant to the national security and peace and order.

REP. FERNANDEZ. And with the submission of the Office of the President...Office of the Vice President regarding this 14 million that was submitted by them, you deem it right to disallow the 14 million?

MS. CAMORA. Mr. Chair, 14 million purchase inform...

REP. FERNANDEZ. Of information.

MS. CAMORA. ...purchase of information is not part of the Notice of Disallowance, Mr. Chair.

REP. FERNANDEZ. The 14 million is not part of the 73 million?

MS. CAMORA. It was allowed po in audit, Mr. Chair.

REP. FERNANDEZ. Ah, the purchase of information was allowed?

MS. CAMORA. Yes, Mr. Chair. The only ...

REP. FERNANDEZ. Fourteen million for the purchase of information, you allowed it?

MS. CAMORA. Yes, Mr. Chair.

REP. FERNANDEZ. And your basis is what?

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MS. CAMORA. Their documentary evidence of payment.

REP. FERNANDEZ. What are the documentary evidence that was submitted to you, if you have the liberty to say it to us?

MS. CAMORA. Mr. Chair, since it's already on the merits of the case, since it's already touching on the merits of the case, and we can only comment on those that we have submitted to the…through the *subpoena duces tecum*, and since the Notice of Disallowance is not yet final, we cannot yet discuss on the merits of the Notice of Disallowance.

REP. FERNANDEZ. Okay. I respect that. So, medyo na…na-worry lang ako dito sa purchase of information that amounted to 14 million for 11 days. And you have approved it?

MS. CAMORA. Yes, Mr. Chair. Mr. Chair, since it's not yet final, it's only...

REP. FERNANDEZ. Did you…have this, have this. Ito na lang po. Hindi naman ito mag-i-incriminate sa inyo, 'no. So, iyon bang 14 million may kasamang mga equipments na binili?

MS. CAMORA. Ibang item po, Mr. Chair, ang equipments.

REP. FERNANDEZ. So, iyong purchase of information is all about information or datas that you have gathered…

MS. CAMORA. That the OVP…

REP. FERNANDEZ. …that you have approved sa COA?

MS. CAMORA. Yes. Mr. Chair.

REP. SUAREZ. Congressman Fernandez, if I just make…

REP. FERNANDEZ. Yes. Yes, yes, Sir

REP. SUAREZ. Point of clarification.

THE CHAIRPERSON. Deputy Speaker Jay is recognized.

REP. SUAREZ. Yeah. May I just be informed as to what type of information was purchased?

THE CHAIRPERSON. Before you answer, Atty. Camora, let me first recognize the Honorable Joseph Stephen Paduano of ABANG LINGKOD and the Honorable Vice Chairman…Senior Vice Chairman Bienvenido Abante.

Please continue.

REP. SUAREZ. Yes.

MS. CAMORA. Mr. Chair, again, we cannot comment on it since it forms part of the merits of the case. But I would like to inform the Body po that the entire ND is

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still subject to appeal to the adjudication of the Commission Proper. These are just the judgment of the auditors.

REP. SUAREZ. Yeah, I know. I do understand the position of Atty. Camora…

(MS. PRECIOSA V. BALDONAZA TOOK OVER)

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REP. SUAREZ. (Continuing)...Atty. Camora. I'm just...my question is what type of information. Kasi, sabi po dito, Purchase of Information. Ano iyong...anong klaseng information iyon? Is it...

MS. CAMORA. Mr. Chair, I could only say that these are part of what is required under the joint circular, which is this information necessary for the formulation and implementation of programs, activities, and projects relevant to national security and peace and order.

REP. SUAREZ. Okay. No. I'm just curious, kasi ngayon lang ako nakakita ng item na Purchase of Information. So, anyway, I'm sorry, Congressman Fernandez, and I ate into your time.

REP. FERNANDEZ. Hindi, kasi, Mr. Chairman, I agree with Congressman, DS Jay-Jay.

THE CHAIRPERSON. Congressman Dan Fernandez, you are recognized.

REP. FERNANDEZ. I agree with him precisely because if you were going to compute 14 million divided mo sa 11, that is 1.2 million, for the information that wanted to be purchased by the Office of the Vice President and was approved by the COA. And that worries me a lot, 'no? If this information entails...siguro kung mga four months iyan or in one year iyan, acceptable iyan, but in a day, 1.2, Purchase of Information a day?

THE CHAIRPERSON. Puwede po bang isang tanong lang?

REP. FERNANDEZ. Yes, Sir.

THE CHAIRPERSON. Iyon po bang 14 million na iyon, eh, ng information, sa isang tao lang po ba iyon o maraming tao po iyon?

MS. CAMORA. Mr. Chair, hindi naman po iyon sa isang tao lang.

THE CHAIRPERSON. Okay. Just to be...Ilan pong tao, kung alam lang po ninyo?

MS. CAMORA. I don't have the information right now.

THE CHAIRPERSON. At kug magkakano po kada tao ang ibinigay para po sa Purchase of Information na iyon at kung saan pong mga area?

MS. CAMORA. Mr. Chair, details na po siya noong audit, so you could...we could answer through...if we are duly issued po subpoena, *subpoena duces tecum.*

THE CHAIRPERSON. Is there any motion? Do I hear any motion?

REP. FERNANDEZ. Yes. Well, I move that we—ano ba—I move that we *subpoena duces tecum...*

THE CHAIRPERSON. The detailed information.

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REP. FERNANDEZ. ...all those documents pertaining to the purchase of information, the detailed information about it.

THE CHAIRPERSON. Is there any second to the motion?

REP. JOSEPH STEPHEN "CARAPS" S. PADUANO. Second, Mr. Chairman.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. FERNANDEZ. Secondly, Mr. Chairman, this is the payment of reward. Sa payment of reward, you utilized 10 million. The Office of the Vice President utilized 10 million, and this was spent for 11 days. So, almost a million a day for the reward, payment of reward, cash, cash. Same thing, COA. How this 10 million was utilized daily by the Office of the Vice President? Can you kindly educate me on how this happened? A million a day for payment of cash reward, was there any news about the cash reward that was given by the Office of the Vice President to any individuals, for that matter, pertaining to this payment of reward in cash by the Office of the Vice President?

MS. CAMORA. Mr. Chair, again...

REP. FERNANDEZ. Again...

MS. CAMORA. ...it is part...

REP. FERNANDEZ. ...again.

MS. CAMORA. ...of ...

REP. FERNANDEZ. ...it will be a part of the documents of the detail...

MS. CAMORA. Although, Mr. Chair, we have indicated in the ND the reason why the rewards were disallowed. They were not able to satisfy us with the documentary requirements.

REP. FERNANDEZ. Okay. I'm sorry, I'm sorry, COA. You mean, this 10 million is part of the disallowed by COA?

MS. CAMORA. Yes, Mr. Chairman.

REP. FERNANDEZ. Ah, I'm sorry, I'm sorry about it. So, sige, okay. So, disallowed ito. Okay, sige.

So, have they given you some information on...or the detailed information about this payment of cash reward?

MS. CAMORA. They have submitted compliance documents, Mr. Chair, but we deemed it...

REP. FERNANDEZ. Can we...

MS. CAMORA. ...not sufficient.

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REP. FERNANDEZ. Yeah, go ahead.

MS. CAMORA. We deemed it not sufficient to answer the requirements of the joint circular.

REP. FERNANDEZ. Can we also…In that case, Mr. Chairman, may I move to subpoena also those…*duces tecum*, those documents pertaining to the payment of cash reward.

THE CHAIRPERSON. There is a motion by the Honorable Fernandez to subpoena those…two issue *subpoena duces tecum* with respect to the payment of cash reward.

REP. FERNANDEZ. Ito naman pong…

THE CHAIRPERSON. Is there any objection? Is there any second to the motion?

REP. SUAREZ. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. FERNANDEZ. Punta naman po tayo sa rental of other incidental expenses relative to the maintenance of safe houses. How many safe houses have the Office of the Vice President have?

MS. CAMORA. Mr. Chair, again, it falls part of the merits. However, may I just say…

REP. FERNANDEZ. Hindi naman merits naman iyon, ano, Gloria. Tinatanong kung ilan lang iyong…para malaman namin. Kasi, of course, mayroong mga opisina ang Office of the Vice President sa buong Pilipinas. Are those offices that are being mentioned by the Office of the Vice President all over the country constitute also as the safehouse of the OVP? Ayan, nakalagay dito, mayroon kayong maintenance ng safehouses. Do they have like 10, 18, 20, 30, 40?

MS. CAMORA. Mr. Chair, I do not have information right now on…

REP. FERNANDEZ. Can you kindly submit to us also? I move also to ano…kasi, Mr. Chairman, before we move for that, kasi 16 million were…no, no… yeah, 16 was spent for 11 days for the Office of the Vice President doon po sa mga safehouses for maintenance. Maintenance of the safehouses, 16 million was spent for 11 days for these safehouses. Kaya nga tinatanong ko po, ilan po iyong safehouses na iyon at bakit gumastos tayo ng 16 million for that purpose for 11 days?

THE CHAIRPERSON. At kung saan.

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REP. FERNANDEZ. Yes, oo, at kung saan iyong mga safehouses na iyon. So, I move that we subpoena also those, ano, documents.

THE CHAIRPERSON. There is a motion by the Honorable Dan Fernandez to subpoena the information with respect to the safehouses of the Office of the Vice President. Is there a second to the motion?

REP. SUAREZ. I second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. FERNANDEZ. Iyon pong purchase of supplies which cost us 35 million for 11 days, Madam Gloria, purchase of supplies, ano-ano po ba itong mga supplies na ito? Ito na po ba iyong mga chairs, tables, desktop?

MS. CAMORA. Mr. Chair, part of it po iyong table/chairs that were disallowed and some of it, naka-indicate po as rewards, so, it was also disallowed.

REP. FERNANDEZ. When you say "disallowed," were you able to get some information who supplied this purchase of different items? The information about the contractors and the suppliers.

MS. CAMORA. Mr. Chair, based on the joint circular, these supplies, materials and equipment for confidential operations are not done through regular procedures without compromising the information.

REP. FERNANDEZ. I know, I know. What I'm trying to tell you is that wala namang bidding siya, eh. Hindi naman siya nagbi-bidding talaga ang confidential fund. What I'm trying to point out, Mr. Chairman, is have they submit, the supplier, or the contractor, of those purchased items? Siyempre may nag-purchase, may nag-ano niyan, eh, may nag-supply niyan, eh. Kilala niyo ba? Ibinigay ba iyong information about it?

MS. CAMORA. We only received documentary evidence of payment, Mr. Chair.

REP. FERNANDEZ. Hindi mo sinasagot ang tanong, Gloria, eh. Ang tinatanong ko kung mayroong ano, mayroong sinabmit *(submit)* na supplier at saka contractor?

Titingin ka pa sa likod. Huwag ka nang tumingin sa likod. Wait, wait. Ano ba'ng position mo sa COA?

MS. CAMORA. Attorney V po, Mr. Chair.

REP. FERNANDEZ. And what is your responsibility in the Commission on Audit?

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MS. CAMORA. Review of the audit po of…

REP. FERNANDEZ. Ha?

MS. CAMORA. Review of the audit conducted.

REP. FERNANDEZ. Review of the audit. Ano'ng ginagawa ng review of the audit?

MS. CAMORA. Tinitingnan ko, Chair, iyong…

REP. FERNANDEZ. So, nakikita mo na, huwag ka nang tumingin sa likod. So, anong ano, anong…ano nakita mo doon? So, ibinigay sa iyo iyong 35 million na purchase ng goods for 11 days. Siyempre nakita mo 35 million, 11 days—Wow, ang bigat nito, 35 million, 11 days.

Sino'ng nag-supply nitong mga supply na ito? Hindi ba, iyon ang trabaho mo, eh. So, sino iyong mga supplier?

MS. CAMORA. Mr. Chair, kasi…

REP. FERNANDEZ. Sino iyong mga supplier na nakita mo?

MS. CAMORA. Sa merits na po kasi…

REP. FERNANDEZ. O, my goodness.

MS. CAMORA. …sa merits na po kasi…

THE CHAIRPERSON. Hindi, ang point po ni Congressman Dan Fernandez, hindi ka ba nagtaka…

(MS. MARY JENELYN L. VASQUEZ TOOK OVER)

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THE CHAIRPERSON. (Continuing)...nagtaka? Iyon po iyong puntong gusto...iyon po iyong gusto niyang ipunto. Hindi po ba kayo nagtaka na nagkaroon ng purchase na worth 35 million in 11 days. Tama po ba iyon?

REP. FERNANDEZ. Yes, oo, 35 million. Ako naman, kahit ako, mayor ako, eh, 'di ba nakita ko, nag-purchase ako ng ganito, 35 million in 11 days, magugulat ako—ano-ano ba ito? So, ikaw, bilang ikaw iyong parang COA, nakikita mo iyan, nakita mo 35 million in 11 days, supplies. Sino supplier nito, 'di ba? Hindi...hindi maaapektuhan ang merit nito. Tinatanong ko lang kung sino iyong supplier.

Now, kung binigay nila iyong supply, binayaran nila, at nakita nating aboveboard, so, what's the problem? Okay. But, unfortunately, magugulat ka, 11 days, 35 million for purchase of supplies. Kaya tinatanong ko lamang, sino iyong supplier?

MS. CAMORA. Mr. Chair, hindi po ako makapagsabi ngayon ng names.

REP. FERNANDEZ. Alam mo, Gloria, nagsisinungaling ka. Don't, please. Sabihin mo lang kung sino iyong supplier?

MS. CAMORA. Sir, ang bini...ang sinabmit *(submit)* lang po talaga nila is evidence, documentary evidence of payment. Hindi na po iyong...

REP. FERNANDEZ. So, wala iyong supplier?

MS. CAMORA. Opo. Ang...

REP. FERNANDEZ. Are you sure?

MS. CAMORA. Opo.

REP. FERNANDEZ. Wala doon sa sinabmit *(submit)* sa inyo?

MS. CAMORA. Yes, Mr. Chair.

REP. FERNANDEZ. Because we are...

MS. CAMORA. Kung...yes...

REP. FERNANDEZ. We moved for the...those documents a while ago.

MS. CAMORA. Yes, Mr. Chair.

REP. FERNANDEZ. Kasi 'pag nakita naming mayroon doon, tatamaan ka diyan. Sige ka.

MS. CAMORA. Mr. Chair, ang sinabmit *(submit)* po nila sa amin is iyong documentary evidence of payment but wala po iyong mga...

REP. FERNANDEZ. Wala iyong supplier.

MS. CAMORA. ...suppliers.

REP. FERNANDEZ. Sige, I will accept that momentarily.

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Okay. Mr. Chairman, punta po tayo doon sa ano, sa provision of Medical and Food Aid, 40 million for 11 days. Again, wala rin iyong supplier dito?

MS. CAMORA. Wala din po, Mr. Chair, kaya part din po siya ng disallowed amount.

REP. FERNANDEZ. Did you ask for…did you ask the Office of the Vice President to submit all the contractors and suppliers of all these supplies and the medical and food aid?

MS. CAMORA. We asked them to explain po the…

REP. FERNANDEZ. Hindi, but did you ask for the supplier?

MS. CAMORA. Normally, Chair, hindi po.

REP. FERNANDEZ. Why?

MS. CAMORA. We just do our audit based on the requirements under the joint circular.

REP. FERNANDEZ. O, sige, I will…I will accept that. But, Mr. Chairman, I think it is imperative for us to find out the contractor and suppliers of all those supplies that was purchased by the Office of the Vice President not because ano tayo, nag…what do you call this, medyo…hindi natin pinupuntirya—tama, thank you for that word—hindi natin pinupuntirya iyong mga supplier and contractor. What we are after, Mr. Chairman, is the amount, the huge amount that is what spent for 11 days, and this is something extraordinary. Hindi naman po siya ganoong kasimple that 40 million will be spent on medical and food aid, 11 days; tapos iyong supplies, 35 million for 11 days; purchase of information, 14 million for 11 days. And ito pa, iyong lastly, iyong payment of incentives on traveling relative to the…to the confidential operations—how does it work? Papaano nagbabayad ng incentives or traveling, can you kindly explain it to us? Because we spent 10 million in 11 days.

MS. CAMORA. Mr. Chair, they gave an explanation on this po that those are actually rental of transport vehicles related to confidential activities po.

REP. FERNANDEZ. And, accordingly, hindi tayo kumukuha ng mga receipt galing sa mga…sa mga ano, sa mga operators noong mga vehicles.

MS. CAMORA. Mr. Chair, ang requirement lang po kasi is documentary evidence of payment.

REP. FERNANDEZ. Okay. Thank you so much with that ano.

THE CHAIRPERSON. Are you done?

REP. FERNANDEZ. Yes, I'm Dan Fernandez, Sir. *(Laughter)*

THE CHAIRPERSON. Tapos na po ba kayo?

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REP. FERNANDEZ. Ah, okay, am I done. Ah, okay. I think, for the meantime, Mr. Chairman, I'll be refraining from asking more questions considering that I spent almost five minutes in the interpellation. So, I'll be yielding back my time.

Thank you so much, Mr. Chairman.

THE CHAIRPERSON. Thank you po.

We will now proceed to the next interpellator, the Honorable Deputy Speaker Jay Suarez. You are recognized, Sir.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Honorable Paduano, what's the pleasure?

REP. PADUANO. Mr. Chairman, with the indulgence of Deputy Speaker Jay-Jay, may I ask a clarificatory question lang po with regards to the resource persons present in today's hearing?

THE CHAIRPERSON. Yes, please continue, with the indulgence of the Honorable Jay-Jay Suarez.

REP. PADUANO. Mr. Chairman, while going into this room, na-monitor ko po na iyong sa OVP po, eh, wala iyong mga persons that was mentioned and invited last hearing, particularly iyong SDO po, iyong Gina Acosta at saka iyong Julieta Villadelrey, which is the chief consultant. But as I have...as Chairman Acop mentioned, may show cause na daw ito ngayon, iyong dalawa. Tama po ba? Iyong dalawa mismo—iyong chief accountant at saka iyong SDO—tama?

THE CHAIRPERSON. ComSec.

THE COMMITTEE SECRETARY. Yes, Your Honor, there was a motion kanina, five po iyong inisyuhan *(issue)* ng show cause orders, Your Honor. It was Atty. Zuleika, Ortonio, Sanchez, Ms. Acosta, and Ms. Julieta Villadelrey.

REP. PADUANO. Now, Mr. Chairman, just to...just to ask this question. So, we cannot...the OVP, the Office of the Vice President cannot answer queries from this Representation or the Members of this Committee as of now? Who is the highest official?

THE CHAIRPERSON. Wala po kasing representative dito, eh, ang Office of the Vice...

REP. PADUANO. Wala?

THE CHAIRPERSON. Wala po.

REP. PADUANO. Wala po ba? How about the spokesperson which is Mr. Michael Poa, is he...

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THE CHAIRPERSON. As a…kanina po, binanggit po ni Atty. Poa na siya po ay nandirito to represent DEPED.

REP. PADUANO. Ah, you're here to represent DEPED, not the Office of the Vice President?

MR. POA. Mr. Chair.

THE CHAIRPERSON. Please…please, Atty. Poa.

MR. POA. Yes, Mr. Chair, that is correct. I am here again because I was part of the list of invitees as far as DEPED is concerned po.

REP. PADUANO. How about sa OVP, you're not already part of the Office of the Vice President?

MR. POA. Wala po ako sa list ng invitee…

REP. PADUANO. No, no, but…hindi, iyong official function mo ngayon?

MR. POA. I am…I'm just a consultant po of the Office of the Vice President.

REP. PADUANO. Consultant ng?

MR. POA. Of the Office of the Vice President.

REP. PADUANO. Consultant for what?

MR. POA. Spokesperson po.

REP. PADUANO. Spokesperson?

MR. POA. Opo.

REP. PADUANO. Ng OVP?

MR. POA. Opo.

REP. PADUANO. And you cannot answer queries from this Committee with regards to the OVP confidential fund?

MR. POA. Mr. Chair, I'm afraid I'm really not authorized to…by the Vice President or anyone from the OVP to represent…

REP. PADUANO. But with regards to the DEPED, you can answer queries, you can answer queries?

MR. POA. Yes, yes, Your Honor.

REP. PADUANO. Okay. So, wala po, walang OVP dito?

THE CHAIRPERSON. Kanina po, may nagpakita, but, unfortunately, nawawala na po yata. ComSec.

THE ACTING COMMITTEE SECRETARY. Yes…

REP. PADUANO. Chairman, is it correct that a certain Munsayac is present? Is he present?

THE CHAIRPERSON. Atty. Munsayac, are you present?

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REP. PADUANO. Mr. Chairman, can we ask him to approach the microphone?

THE CHAIRPERSON. Ayan po. Atty. Munsayac, do you represent the OVP?

MR. REYNOLD S. MUNSAYAC (Assistant Secretary for Procurement, Department of Education). Good afternoon, Your Honors, Mr. Chair. I do not represent the OVP. I'm a private person already, Your Honor.

REP. PADUANO. You're invited in today's hearing? Do you received invitation, did you receive invitation from this Committee?

MR. MUNSAYAC. Yes, Your Honor, I was part of the invitation, the list of people invited for the DEPED query.

REP. PADUANO. For the DEPED na naman.

MR. MUNSAYAC. Yes, Mr. Chair.

REP. PADUANO. ComSec, is it correct that Mr. Munsayac is invited for the DEPED query?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

REP. PADUANO. But, of course, you're part...during the previous...during this topic being discussed with regards to the OVP budget, you're still part of it, 'di ba, at that time?

MR. MUNSAYAC. No, Your Honor. I left OVP at October 2023 and I'm not part, in anyway, of the confidential funds issue, Your Honor.

THE CHAIRPERSON. ComSec.

REP. PADUANO. Anyway, Mr. Chairman...

THE ACTING COMMITTEE SECRETARY. Your Honor. Your Honor, Atty. Ronald Munsayac...Reynold Munsayac was invited from the DEPED roster as Assistant Secretary for Procurement, Your Honor, just to clarify.

THE CHAIRPERSON. Okay. Congressman Paduano.

REP. PADUANO. Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize the Deputy Speaker, Jay Suarez. Please proceed to your interpellation.

REP. SUAREZ. Thank you very much, Mr. Chair.

Mr. Chair, I just wanted to follow the line of questioning started by Congressman Dan Fernandez.

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Again, to the COA, Ma'am, magandang tanghali po sa inyo. Can you show the slides, please. Ma'am, sinabmit *(submit)*…

(MS. ELISA P. DELOSO TOOK OVER)

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REP. SUAREZ. (Continuing)...sinabmit *(submit)* po sa COA ang accomplishment report ng Fiscal Year 2022 sa confidential funds. Tama po ba ito?

MS. CAMORA. Tama po, Mr. Chair.

REP. SUAREZ. Okay. Ayon sa accomplishment report, fully spent ang 125 million. Tama po ba ito?

MS. CAMORA. Tama po, Mr. Chair.

REP. SUAREZ. Okay. Ito pong 125 million ay naka-breakdown into more specific items. Am I correct?

MS. CAMORA. Ah, tama po, Mr. Chair.

REP. SUAREZ. And to enumerate how the 125 million was spent: Item one, purchase of information; item two, payment of reward; item three, rental of other incidental expenses relative to the maintenance of safehouses; item number four, purchase of supplies; item number five, provision of medical and food aid; item number six, payment of incentives for travelling relative to confidential operations. Is this correct?

MS. CAMORA. Tama po, Mr. Chair.

REP. SUAREZ. So, can you confirm that this is the breakdown reflected in the accomplishment report written on the screen right now?

MS. CAMORA. Yes, Mr. Chair, iyan po iyong nasa utilization report.

REP. SUAREZ. Opo. Napansin ko lang po, Ma'am, na kung titingnan po natin iyong mga amounts, very specific, 'no, whole number po siya—14, 10, 16, 35, 40, and 10. Walang butal, Ma'am? Buong-buo? Sakto lahat?

MS. CAMORA. Mr. Chair, dito po sa... dito po sa accomplishment report nila, ganiyan po, buo-buo.

REP. SUAREZ. Buong-buo. Oo. Hindi ito estimate or budget, 'di ba?

MS. CAMORA. Ah...

REP. SUAREZ. Hindi naman ito estimate or budget. Am I correct?

MS. CAMORA. Iyan na po iyong utilized amount nila, Mr. Chair.

REP. SUAREZ. So, what you're... what we're seeing is the liquidation actual cost? Ito po iyong mga binili na medical, food aid—saktong 40 million po ang total cost and price. Am I correct?

MS. CAMORA. Tama po, Mr. Chair.

REP. SUAREZ. Walang sukli? Walang kulang, tama po?

MS. CAMORA. Mr. Chair, iyan lang po iyong contents ng utilization report po nila, Mr. Chair.

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THE CHAIRPERSON. Sususugan ko lang po iyong tanong ni Deputy Speaker. When you say "utilized", ibig sabihin nabili na, nagamit na. Tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Please continue.

REP. SUAREZ. Nakakapagtaka lang kasi. Kasi siyempre 'pag... kunwari, mamalengke ka, tapos nagbigay ka ng 5,000 pesos na pamalengke, usually bumabalik kasi iyong mga goods nandoon at may kasamang sukli. Dito lang, sakto lang iyong amount, eh, 'no, talagang buo lang siya.

Matanong ko lang, Ma'am, dito po sa mga napaggastusan, may kasama po ba itong mga resibo?

MS. CAMORA. Mr. Chair, mayroon po silang sinabmit *(submit)* na documentary evidence of payment.

REP. SUAREZ. Wala?

MS. CAMORA. Documentary evidence of payment po.

REP. SUAREZ. Mayroon?

MS. CAMORA. Mayroon po.

REP. SUAREZ. Okay. And these were already requested from your office to be submitted to the Committee. Am I correct? *Subpoena duces tecum* kanina, 'no?

MS. CAMORA. Hindi po yata iyon kasama, Mr. Chair.

REP. SUAREZ. So, therefore, Mr. Chair, I move that we request the same documents, and I move that the said documents be submitted to the Committee on Good Government.

THE CHAIRPERSON. What document?

VOICE. Second.

REP. SUAREZ. The documents pertaining to the liquidation report with regards to item... Ito na pong lahat ng items siguro para mapag-aralan natin ng buo.

THE CHAIRPERSON. Is there...

REP. SUAREZ. From items A up to...

THE CHAIRPERSON. F.

REP. SUAREZ. ... F, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

VOICE. Seconded.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. SUAREZ. Thank you very much.

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So, dito po, Ma'am, sa mga nabili pong mga medical and food aid—40 million—alam ninyo po ba kung anong klaseng medisina at pagkain ang binili?

MS. CAMORA. Wala pong information, Mr. Chair.

REP. SUAREZ. Wala po kayong information? So, hindi po sinabmit *(submit)* ito?

MS. CAMORA. Hindi po very detailed ang documentary evidence of payment.

REP. SUAREZ. So, there are documentary evidence that were submitted. Am I correct?

MS. CAMORA. Yes, Mr. Chair.

REP. SUAREZ. Do you…Are you in possession of these documentary evidence right now?

MS. CAMORA. Right now, Mr. Chair, wala po.

REP. SUAREZ. Can you expound on this documentary evidence that you are saying that were submitted, however, lacking?

MS. CAMORA. Mr. Chair, that is already part of the merits of the case. So, we can only comply po through subpoena.

REP. SUAREZ. Okay. I, therefore, move, Mr. Chair, for a… No, although mayroon na po tayong *subpoena duces tecum* para sa mga documents, 'no.

Matanong ko lang, Ma'am, kanina ninyo pa binabanggit iyong case. Ano pong kaso itong bina… kani-kanina ninyo pa inuulit na nababanggit?

MS. CAMORA. Mr. Chair, ano… Pa-clarify po.

REP. SUAREZ. Sabi ninyo po kasi, "This is part of a case. This is part of a case." I think you mentioned it maybe four or five times. Can I just be informed of what case you are pertaining to?

MS. CAMORA. Mr. Chair, iyong Notice of Disallowance po kasi is an audit action of COA na hindi po final. So, they have an opportunity po to appeal on… to appeal the Notice of Disallowance. So, we cannot…we cannot just divulge information about it po. Kung baga, it's…it's still ongoing. It's not yet final.

REP. SUAREZ. Yes, I know. I understand that. But, what is the case? You said, "There is a case." So, ano iyong kaso?

MS. CAMORA. Ay, Mr. Chair…

REP. SUAREZ. Kasi when you say a case, usually it's a case filed in court. A case that was…that's pertaining to a certain activity already in the judicial system. So, what case are you pertaining to?

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MS. CAMORA. Mr. Chair, may I correct myself then. That... it is not a case... a case. But the audit actions po of...

REP. SUAREZ. Therefore...

MS. CAMORA. COA.

REP. SUAREZ. ... there's no case, Ma'am?

MS. CAMORA. None. It is... it may... it is a case pero it is civil in nature po.

REP. SUAREZ. Oh, admin. So, anyway...

REP. PADUANO. Mr. Chairman. Mr. Chairman.

REP. SUAREZ. Yeah, but in any case...

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Mr. Chairman, I do disagree with the position of COA. Well, in fact, we... you were... you were issued a *subpoena duces tecum* with regards to the Notice of Disallowance, 'di ba? And you submitted it to the Committee, tama? Tama?

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. O, sinabmit *(submit)* ninyo nga iyong highlights, eh. All we are asking is to justify this. We're not talking about the case. We're just talking about if indeed the ND that you have... or the highlights of such... iyong ginawa ninyo with regards to the budget of OVP is indeed tama. So, why...what's stopping you from submitting all those supplement... all those attached... attachments? Kasi nandito na nga, eh, 'di ba?

THE CHAIRPERSON. And before you answer, just to clarify, COA. Let me read the provision under the Rules of Procedure Governing Inquiries in Aid of Legislation. Section 1, Power to Conduct Inquiries, paragraph 2, provides that, "The filing or pendency of a case before any court, tribunal or quasi-judicial or administrative body shall not stop or abate any inquiry conducted to carry out a legislative purpose."

So, kahit po iyong mga tinatawag po nating "*sub judice*," hindi po... hindi po kami covered noon. So, please answer, COA.

MR. ERWIN E. LAPITAN (Attorney IV, Legal Affairs Office, Legal Services Sector, Commission on Audit). Mr. Chair...

THE CHAIRPERSON. You are...

MR. LAPITAN. ...may I be allowed...

THE CHAIRPERSON. ... Please, identify yourself, Attorney...

MR. LAPITAN. Erwin Lapitan, Mr. Chair.

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THE CHAIRPERSON. Atty. Lapitan, please continue.

MR. LAPITAN. Yes, Mr. Chair. I-clarify ko lang po na ang ND po ay audit decision po. It is an audit decision by the auditor po. And the nature of a Notice of Disallowance is civil in nature po.

REP. PADUANO. But there is no case yet filed?

MR. LAPITAN. It is actually a case before…

REP. PADUANO. No.

MR. LAPITAN. … the quasi…

REP. PADUANO. You cannot…you cannot prosecute kasi kayo ang recommendatory lang just like…

MR. LAPITAN. Yes…

REP. PADUANO. … the Committee.

MR. LAPITAN. Yes, we agree, Mr. Chair…

REP. PADUANO. 'Di ba?

MR. LAPITAN. … that we don't have the authority to prosecute but…

REP. PADUANO. So, what's stopping you from giving us all those attachments?

MR. LAPITAN. Mr. Chair…

REP. PADUANO. Just to…

MR. LAPITAN. … it may affect…

REP. PADUANO. Sandali.

MR. LAPITAN. Yes.

REP. PADUANO. Patapusin mo ako. Chairman. What's stopping you…

THE CHAIRPERSON. Please continue.

REP. PADUANO. … from giving all those attachments being requested by this Committee? What will influence you?

MR. LAPITAN. Mr. Chair, it might affect the adjudication process by the Commission Proper. And we…

REP. PADUANO. Sandali po. Sandali.

MR. LAPITAN. Yes, Mr. Chair.

REP. PADUANO. Sandali, isa-isahin po natin.

Ano iyong first reason ninyo? Isa-isahin muna natin. It will affect the adjudication of the Commission Proper?

MR. LAPITAN. Yes, Mr. Chair.

REP. PADUANO. In what manner?

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MR. LAPITAN. Of course, Mr. Chair, the Commission—the COA—has a constitutional power to adjudicate…

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MR. LAPITAN. (Continuing)...to adjudicate. Therefore, any information that may affect its adjudication procedures or processes and considering that the Notice of Disallowance is not yet final, then...

REP. PADUANO. But...but, you know, inquiries, in aid of legislation, kailangan namin dito mga dokumento. Now, heto, Notice of Disallowance, hindi ba, ND ninyo, heto iyong highlights, o, how can you justify to us if you cannot submit the...

MR. LAPITAN. Yes...

REP. PADUANO. ... the attachments and the documents that...that gives the result of this Notice of Disallowance? Simpleng-simple ho, it cannot...it cannot influence...

MR. LAPITAN. Yes, Mister...

REP. PADUANO. ... the Commission Proper.

MR. LAPITAN. Yes, Mr. Chair, we will comply upon issuance of the subpoena.

REP. PADUANO. Hindi, nag-issue na nga, eh.

THE CHAIRPERSON. Yes.

REP. PADUANO. Hindi ba, Mr. Chairman, nag-issue na nga?

THE CHAIRPERSON. Yes, we already issued.

REP. PADUANO. Hindi. Ang hindi ko lang ma-accept-accept iyong reasoning ninyo na it will affect the... the possible decision of the... of the Commission Proper. Because, when in fact, sabi ko nga noong nakaraan pa, it will take six months, hindi ba? Tama, six months, hindi ba, before it goes through with the Commission Proper, hindi ba?

MR. LAPITAN. Mr. Chair, the appeal process...

REP. PADUANO. Kaya nga may appeal, because of the appeal, hindi ba? Now, ang hindi ko maintindihan, bakit ninyo sasabihin, you will give your... that reason na you cannot submit because it will affect. Well, in fact, I talked to your Chairman yesterday and that is not a valid reason. And please don't push me to invite your Chairman dito.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you.

REP. SUAREZ. Thank you very much. Mr. Chair...

THE CHAIRPERSON. Before you continue, Deputy Speaker, the Chair would like to recognize the presence of the Honorable Edward VP Maceda of 4th District, Manila.

Please continue, Deputy Speaker.

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REP. SUAREZ. Thank you very much, Mr. Chair.

You mentioned, Atty. Lapitan, kanina na it's the...there's a process of appeal 'no. Has an appeal been made?

MR. LAPITAN. As of today, as of this date, Mr. Chair, we don't have information on whether the concerned agency appealed?

REP. SUAREZ. Okay. So, in other words, wala pa? Are you gonna give a different answer, Ma'am, or...

THE CHAIRPERSON. Atty. Camora.

MS. CAMORA. Mr. Chair, in addition to what my colleague has mentioned, usually po, pag nag-appeal iyong...nag-appeal iyong agency, of course, it's the CP that makes the decision. So, they... they asked the sector, the office from where the entry for...

REP. SUAREZ. Ma'am, ano lang... my question is just yes or no. Has an appeal... has an appeal been made? Iyon lang naman po iyong tanong ko.

THE CHAIRPERSON. Umapela daw po ba sila?

REP. SUAREZ. Oo, kung may appeal na po ba?

MS. CAMORA. As far as COA, wala pa pong... wala pa pong order sa amin na mag-comment on any appeal po.

REP. SUAREZ. Okay. So, in other words, wala pa rin.

MS. CAMORA. On the part of the COA, wala pa po.

REP. SUAREZ. Yeah. Kasi wala pa rin kayong... okay.

So, going back lang po tayo doon sa tinatalakay ko kanina. Kanina, mayroon pong nabanggit na... can you show the slide, please... so, ito, nabanggit po ito ni Congressman Fernandez kanina, iyong rental ng safehouse, again saktong 16 million po ang total. COA, can you please inform us how many safehouses are we talking about?

MS. CAMORA. Wala po akong information on the number of safehouses, Mr. Chair.

REP. SUAREZ. So... wait, okay. I'm trying to digest this, walang number of safehouses?

MS. CAMORA. Mr. Chair, since our audit is just based on the joint circular, we... we just determine based on what is required under the joint circular, Mr. Chair.

REP. SUAREZ. No. But you... you conducted an audit. Correct? So... and in your audit, you should... you should be... you should have determined the specifics and details of the items. Correct?

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MS. CAMORA. Mr. Chair, it's not one of the items required under the joint circular. What is required is the documentary evidence of payment.

REP. SUAREZ. Correct. So, in the documentary evidence that was presented to you, the question is, how many safehouses?

MS. CAMORA. It was not identified in the documentary evidence of payment. What was identified were the number of people who received the payment po.

REP. SUAREZ. So, ano pong… so, medyo suspicious po itong 16 million para sa safehouses kasi kayo na din ang nagsabi na walang documentary evidence and isinabmit *(submit)* patungkol sa mga detalye dito.

MS. CAMORA. Yes, Mr. Chair.

REP. SUAREZ. Okay. Based on your audit experience, are these red flags?

MS. CAMORA. Mr. Chair, hindi pa ganoon ka-extensive ang experience ko. But since these are confidential funds…

REP. SUAREZ. Okay. Anyway, so, kunyari mag-focus po tayo sa 35 million na purchase of supplies, again, do you know the details of these supplies?

MS. CAMORA. Just what is included in the documentary evidence of payment, Mr. Chair…

REP. SUAREZ. And in the documentary evidence that was submitted, what were the specifics of these supplies?

MS. CAMORA. There's no identification, Mr. Chair.

REP. SUAREZ. So, basta bumili lang ng supplies?

MS. CAMORA. Based on the document, Mr. Chair.

REP. SUAREZ. Hindi sinabi kung ano, kung ilan, kung anong klase, kung saan gawa, basta bumili ng supplies?

MS. CAMORA. It's not a requirement po under the joint circular, Mr. Chair.

REP. SUAREZ. Yes. I mean…I'm asking, yes or no. Correct. So, basta nag-submit na sila, bumili kami ng supplies. Kasi, you know, we need to thresh this out because if you want to come up with a law, it is important for us to find out where the loopholes in auditing are, hindi ba? Kasi dito nakikita natin, may mga specific amounts na malalaki, kaso lang, based on the documentary evidence, hindi supported kung papaano ginastos, hindi supported kung may resibo, hindi supported kung ilan. So, I think, you know, this is another piece of legislation that we can push forward, Mr. Chair, dahil ito naman pong ginagawa natin is in aid of legislation.

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Ito din po, balikan din po natin, Ma'am, ito pong provisions ng medical supplies and food aid. Nabanggit po ba kung kanino po ibinigay o sino iyong mga recipients nitong food aid na po ito?

MS. CAMORA. Mr. Chair, naka-identify iyong names doon sa documentary evidence of payment pero hindi po...hindi po puwedeng mag-divulge ng mga pangalan.

REP. SUAREZ. Okay. But iyong...

REP. BIENVENIDO M. ABANTE, JR. Mr. Chair, can I interject, please...to the questions of...

THE CHAIRPERSON. Please continue, Vice-Chair Abante.

REP. ABANTE. Ano ang nakalagay sa documentary evidence, ano'ng nakalagay doon? Nakalagay ba doon iyong liquidation nila on... For example, iyong 35 million na supplies, is that properly liquidated in the documentary evidence?

MS. CAMORA. Mr. Chair, iyong liquidation report po nila is maraming documents po. The documentary evidence of payment is just that po iyong evidencing the payment. But the liquidation report, there is the liquidation report, there are these other reports po...

REP. ABANTE. Iba iyon, iba iyon?

MS. CAMORA. Opo.

REP. ABANTE. Iba iyong liquidation report?

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. The documentary evidence?

MS. CAMORA. Yes, Mr. Chair, supporting document.

REP. ABANTE. Ano ang pagkakaiba noon?

MS. CAMORA. Iyong liquidation report po is iyong pinaka...iyong parang cover letter po...Iyong pinaka liquidation voucher nila, naka-specify po doon kung sino iyong... it is certified correct by kung sino man iyong SDO, certified noong kaniyang immediate supervisor and then certified by the accounting that the supporting documents...

REP. ABANTE. Oo, certified. Pero I just would like to know, kanina Deputy Speaker Jay-Jay asked about the 35 million supplies 'no. Okay. And then he asked about kanino ibinigay iyan, ano'ng nangyari diyan. So, doon ba sa liquidation report, nakalagay doon kung kanino binigay ang supplies na iyan, kung ano iyong mga supplies na iyan, doon ba nakalagay sa liquidation report?

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MS. CAMORA. Sa liquidation report mismo, Mr. Chair, wala po doon kasi ito po iyong general na the whole...pertaining to the whole amount...

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MS. CAMORA. (Continuing)...whole amount. Iyong documentary evidence of payment po, iyong details.

REP. ABANTE. How can you...Okay. How can you properly audit if, for example, like kulang-kulang ang nakalagay sa liquidation report? I mean, the thing is, it is the duty of the Office of the Vice President to liquidate, correct?

MS. CAMORA. That is correct po.

REP. ABANTE. And in the liquidation report, it is the duty of the Vice President to tell the COA kung saan nagamit iyon, kung sinong...kung anong klaseng supply iyon, kung magkano ang pagkakabili noon at kung kanino ibinigay iyon. And that should be in the audit report, am I right?

MS. CAMORA. Mr. Chair, wala pong audit report pagdating sa confidential fund. We just issue the audit actions after the...after we audit the liquidation report.

REP. ABANTE. This is very interesting, Mr. Chair. Why don't you have an audit report?

MS. CAMORA. Mr. Chair, we just...based on the joint circular, nandoon po iyong functions ng ICFAU. Nandito lang po is issue an AOM, NS, or ND addressed to the COA, the head of agency, Mr. Chair, and then keep records of all the...those issued na audit actions po, and then prepare...prepare...

REP. ABANTE. What are you referring...what are you referring to? Are you referring to the...it says...you're saying that there is no audit report, am I right?

MS. CAMORA. Yes, Mr. Chair, there's no audit report, but there are audit actions that are issued.

REP. ABANTE. There are audit actions?

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. So how...how do you...where do you put the audit actions as reported? What do you call that?

MS. CAMORA. The audit actions, Mr. Chair, are the Audit Observation Memorandum, the Notice of Suspension, and the Notice of Disallowance.

REP. ABANTE. Mr. Chair, is that submitted to this Committee? Ah, not yet, 'no. So I'd like to make a motion that we...we subpoena the document, the audit of action, hindi ba? And the liquidation report to be submitted here in this Committee. So I'm, I'm...So I move, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion? Duly seconded. Hearing none. Ah, is there any objection? Hearing none, the motion is carried.

Ma'am, Sir...

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REP. ABANTE. Thank you, Mr. Chair.

THE CHAIRPERSON. ...may itatanong lang po ako. Puwede pong makita uli iyong slide kanina, iyong slide... Ma'am...ay, pakibaba po, pakibaba, pakibaba po, iyong kaninang itemized, iyong kaninang itemized po. Iyan. Pakilakihan po ng kaunti. Ma'am, iyong dito po sa purchase of supplies worth 35 million, wala po kayong idea kung ano iyong item na ito?

MS. CAMORA. Kung ano lang po iyong nasa documentary evidence of payment.

THE CHAIRPERSON. Which is ano po?

MS. CAMORA. Which is iyong names po noong recipients.

THE CHAIRPERSON. Hindi, hindi. Pero iyong supplies, wala?

MS. CAMORA. Wala po, Mr. Chair.

THE CHAIRPERSON. Okay. Hindi po ba kayo nagtaka na iyong nilagay po nilang 35 million dito ay eksakto?

MS. CAMORA. Mr. Chair.

THE CHAIRPERSON. Napakalaki po nitong amount tapos eksakto pong 35 million, wala man lamang pong butal like 34. ...34 million 950 thousand or 31 million 450 thousand. Hindi po ba kayo nagtaka na bumili ng supplies tapos eksaktong-eksakto pong 35 million?

MS. CAMORA. Mr. Chair, if you will look at the Notice of Disallowance po, na-extract na po namin iyong part noong supplies which are part of the reward. Kaya sa Notice of Disallowance, hindi na po siya ganyan na buo-buong amount.

THE CHAIRPERSON. So, ano po'ng ibig sabihin ninyo? Pakipaliwanag po ninyo.

MS. CAMORA. Based on...based on the...after po ng AOM po kasi nag-submit sila ng mga compliance, so may mga na-explain na portions. So, kaya sa Notice of Disallowance po, it's not exactly the same as kung ano iyong nasa utilization report nila.

THE CHAIRPERSON. So, magkaiba po iyong nakalagay sa utilization at saka doon sa...

MS. CAMORA. Sa Notice of Disallowance po, Mr. Chair.

THE CHAIRPERSON. Okay.

MS. CAMORA. Kasi...

THE CHAIRPERSON. So, kaya nga po...kaya po ninyo plinag *(flag)* down

MS. CAMORA. Opo. Kaya po may...

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THE CHAIRPERSON. Dahil mayroong ano, medyo may problema. Tama po ba?

MS. CAMORA. May…opo, may inaccountable…

THE CHAIRPERSON. Okay. Hindi, iyon po ang tinatanong ko. Tama po ba? Kaya po ninyo plinag *(flag)* down dahil mayroon pong problema kayong nakita.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. At isa po sa problema dahil nga po doon sa amount parang medyo hindi po nagtutugma…

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. …sa ebidensya po na kanilang sinumite. Tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Sa susunod…

REP. ABANTE. Mr. Chair…

THE CHAIRPERSON. …iyong provision of medical and food aid, eksakto rin ito, 40 million. So, hindi rin po ba kayo nagtaka bakit eksakto pong pagbili ng medical at saka food aid?

MS. CAMORA. Again, Mr. Chair.

THE CHAIRPERSON. Again. So…

MS. CAMORA. Bineys *(base)* namin sa documentary evidence of payment. So, hindi po exactly ganyan ang…

THE CHAIRPERSON. So ibig sabihin, iba iyong utilization na nilalagay nila dito, iba rin po iyong prine-presenta sa inyong ebidensya. Tama po ba or documentary evidence. Tama po ba?

MS. CAMORA. Sa pagka-categorized po nila, Mr. Chair.

THE CHAIRPERSON. So, magkaiba po.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. At kaya po ninyo pinlag *(flag)* down dahil may disparity. Tama po ba?

MS. CAMORA. Yes. Yes, Mr. Chair.

THE CHAIRPERSON. Okay.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. So, posible…

REP. ABANTE. Mr. Chair, I'd just like to ask, are we referring to the…

THE CHAIRPERSON. Thirty-five million and 40 million?

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REP. ABANTE. ...confidential...the complete confidential fund of the Office of the Vice President?

THE CHAIRPERSON. Ito po.

REP. ABANTE. Are we referring on that? Ibig sabihin, these are the two years na since the Vice President...

THE CHAIRPERSON. Ito po iyong...ito po iyong for the period covering December 21 to 31 of the confidential fund. Iyan po. Kasi po nakita po natin, very glaring po, sa letter (d), or item number four, purchase of supplies, eksakto 35 million. At doon sa provision of medical and food aid, 40 million, eksakto rin. So, medyo nakakapagtaka lang po dahil wala pong kabutal-butal at eksaktong-eksakto po iyong supplies. Okay.

So, iyon lang po. I will now recognize the...

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Ay.

REP. SUAREZ. Unfortunate...Unfortunately I'm not done with my questions. If I can just, ano, complete my line of questioning para lang...

THE CHAIRPERSON. Okay, please. With the indulgence of Congresswoman Luistro, the Deputy Speaker will just continue with his interpretation.

REP. SUAREZ. Of course, Cong. Jinky, if I may continue. Thank you.

I just want to highlight COA. Are you familiar with COA rules regarding disbursements of confidential funds and intelligence funds, Rule 4.15?

MS. CAMORA. Yes, Mr. Chair.

REP. SUAREZ. Yeah.

MS. CAMORA. Of the Joint Circular, Mr. Chair.

REP. SUAREZ. Yes, yeah. Nakasulat po doon sa 4.15.3 that the details and supporting documents on transactions that are classified are in the custody of the agency and kept in the vault which may be inspected by the ICFAU if the circumstances so demand. Am I correct?

MS. CAMORA. Four point...4.15, Mr. Chair.

REP. SUAREZ. Point three, yeah.

MS. CAMORA. Yes, Mr. Chair. This pertains to a classified information. This pertains po to intelligence funds.

REP. SUAREZ. Yeah. So, maybe under these circumstances, this would fall under those circumstances wherein we can demand the documents of the transactions.

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MS. CAMORA. Mr. Chair, when it comes to confidential funds, the documents are submitted...are submitted to the ICFAU.

REP. SUAREZ. Okay. Fantastic. So, paki-submit na lang po sa amin at nag-subpoena na naman po kami, 'no.

Ma'am, mabalikan lang po natin iyong line of questioning ko kanina. Yeah. Can we go back to the slide, please, ComSec. Oo. Thank you. No, no, no, doon sa taas, sa taas. Iyan. Okay.

Dito po, based sa inyong audit, saan pong areas ito, sa Luzon, Visayas at Mindanao, Ma'am? No, no, iyong isang slide. Iyong ginawa po iyong surveillance activities, would you know which areas were under surveillance or conducted surveillance in? Was it in Luzon, Visayas, Mindanao?

MS. CAMORA. Mr. Chair...

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MS. CAMORA. (Continuing)...Mr. Chair, ang information lang po namin is iyong nasa utilization report. Iyong sa documentary evidence of payment po, hindi naman din po identified iyong...

REP. SUAREZ. So, wala ring klarong supporting documents doon sa surveillance activities na kinondak *(conduct)*. Am I correct?

MS. CAMORA. Yes, Mr. Chair.

REP. SUAREZ. Okay. Kasi nakakapagtaka lang, 'no, Ma'am, hindi ba? So, kung titingnan din po natin iyong amount at saka iyong timing...Kailan po ba ito? December 20 to 31, so, didn't you find it quite out of the ordinary that people were being placed under surveillance and people were being under surveillance during Christmas season?

MS. CAMORA. We were just...We just conducted the audit based on the requirements under the joint circular po.

REP. SUAREZ. Kasi nakakapagtaka, 'no, itong mga activities na ito gagawin sa panahon ng Pasko. Di bilang mga auditors, I think that would definitely call your attention on when actually these activities were conducted. Am I correct?

MS. CAMORA. Iyon nga po, based lang po talaga sa joint circular iyong audit.

REP. SUAREZ. Okay. Thank you very much, Vice Chairman Jay. Those are all my questions. So, maraming, maraming salamat po COA.

REP. PADUANO. Vice Chairman Jay, can I interject lang po before you recognize the next Interpellator?

REP. KHONGHUN. Thank you, DS Jay-Jay Suarez. Honorable Paduano.

REP. PADUANO. Mabilis lang po. Ma'am, you're always telling that it is based on the JMC 2015-01, hindi ba? Tama? Iyon ang sinasabi mo lagi, hindi ba?

MS. CAMORA. Tama po. Tama po, Mr. Chair.

REP. PADUANO. Based on the JMC.

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. Now, ito, 6.2.3, ito kasi, Mr. Chairman, hindi puwede nilang sabihin na based on the requirements. Because dito po, elaborated lahat, hindi ba, from 6.2.3.1 up to 6.2.3.6. Tama?

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. Elaborated siya. But there is still a provision 6.2...ah, 6.2.3.7. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. O, ano nga? Please read.

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MS. CAMORA. "Other supporting documents like ICFAU deems necessary for the proper evaluation of liquidation documents submitted. "

REP. PADUANO. O, di, ibig sabihin noon, lahat ng mga dokumento, which is necessary, shall be submitted to you. Tama?

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. O, depende sa evaluation niyo kung kailangan ang dokumento na ito.

MS. CAMORA. Tama po, Mr. Chair.

REP. PADUANO. Tama. And the question of DS Jay-Jay Suarez is all about the surveillance being made by the OVP during Christmas season, hindi ba?

MS. CAMORA. Yes, Mr. Chair.,

REP. PADUANO. O, di kailangan niyo ng dokumento dito, ng mga detalye nito, hindi ba, sa item na iyan. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. O, kaya...kaya hindi niyo puwedeng sabihin na based on the JMC. Kasi, the JMC 6.2.3.7 provisions states that "all other documents related to the investigation or to the audit". Hindi ba? Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. O, kaya iyong lahat na doon na walang butal na sinabi kanina ni Chairman, nakapagtataka. Hindi ba? So, dapat, and I know, siguro pina-submit ninyo rin sila iyong detalye noon.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. O, iyon nga, eh. Kaya hindi niyo puwedeng sabihin na based on the JMC only, because the JMC also states, 6.2.3.7, all other related documents. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. O, di, at least, nagkalinawan tayo.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Thank you, Mr. Chairman.

THE CHAIRPERSON. Okay. We will now proceed to the next interpellator, the Honorable Gerville "Jinky" Luistro.

REP. LUISTRO. Thank you, Mr. Chair. Good afternoon, everyone.

Atty. Camora...

MS. CAMORA. Yes po.

REP. LUISTRO. ...the questions are directed to you.

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Before I proceed to the questions, I just want to have a clarification first about the confidential fund that were given to the OVP. Am I correct, we have 125 million for the last quarter of 2022? The same was utilized from December 20 to 31 of 2022.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And on the succeeding year, that is 2023, the OVP was allocated also a total confidential fund equivalent to 500 million. Do you confirm?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And out of the 500 million, Attorney, how much was utilized and how much was unutilized?

MS. CAMORA. Mr. Chair, for 2023, they utilized for the first three quarters, which is 125 times three. And for the fourth quarter, they did not cash advance the amount. So, may naiwan pong 125 million.

REP. LUISTRO. In other words, for clarification of the Committee, I wish to state for the record that when we speak of confidential fund of the Office of the Vice President, we're talking about 125 million spent from December 20 to 31 of 2022, another 125 million spent on the first quarter of 2023, another 125 million spent on the second quarter of 2023, and another 125 million spent on the third quarter of 2023. This is a total, if I am correct, Atty. Camora, 500 million. Do you confirm?

MS. CAMORA. That is correct, Madam… Mr. Chair.

REP. LUISTRO. Thank you.

I wish to go back to my question during the last hearing, Attorney. I asked you, paano po ba natin idi-distinguish ang confidential fund from regular fund? This time, I want a more comprehensive answer, and please try to laymanize it, because I want this to be understood by the Filipino people. As a matter of fact, I am raising this question so the Filipino people will understand. Ano po ang pagkakaiba ng confidential fund from regular fund? Let us discuss first about the purpose.

MS. CAMORA. Yes, Mr. Chair. Ang purpose po ng confidential and intelligence funds are for confidential and/or intelligence activities. While iyong sa regular funds po, it is for the attainment of programs, activities, and projects other than confidential fund and/or intelligence activities. Ito po iyong regular na perang ginagamit ng mga government agencies.

REP. LUISTRO. And if you will agree with me, Attorney, if I would say that when we speak of confidential fund, it has something to do with the national security, peace and order surveillance activities. Am I correct?

MS. CAMORA. That is correct po, Madam Chair.

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REP. LUISTRO. And when we speak of regular funds, any other funds except something which has to do about security, peace, and order.

MS. CAMORA. Yes po, Mr. Chair.

REP. LUISTRO. Thank you. Now, let's go to the procurement.

Ano po ang pagkakaiba ng confidential fund from regular fund in terms of procurement?

MS. CAMORA. Mr. Chair, in terms of procurement, the regular funds must follow the laws on procurement, which is now the RA 9184, as amended po. As to confidential and intelligence funds, to avoid compromising the confidential matters, it usually does not undergo procurement.

REP. LUISTRO. And do you agree that we have this joint circular which regulate the utilization of confidential fund?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Can you share with us what is that joint circular?

MS. CAMORA. It is the joint circular issued by the Commission on Audit, the Department of Budget and Management, the Department of the Interior and Local Government, the Governance Commission for GOCCs, and the Department of National Defense.

REP. LUISTRO. Kanina, Attorney, you mentioned about Republic Act No. 9184. This is the Procurement Law, as amended. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And you would agree with me if I would say, under the Procurement Law, before you proceed to procurement, there has to be a posting?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. There has to be an invitation to bid.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. There has to be a pre-qualifying process for the bidders.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. There has to be a bidding.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. There has to be a post-qualifying.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And all of this will happen...

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REP. LUISTRO. (Continuing)...will happen before we issue the Notice to Proceed?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And if I may add, we also require the parties to execute a contract. Am I correct?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And all these formalities are not present when we speak about confidential fund, correct?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. That is for the reason that we wish to protect concerns, matters concerning national security, peace and order, and surveillance. Tama po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Okay. Now, we proceed to number three about liquidation. Ano po'ng pagkakaiba ng confidential fund from regular fund?

MS. CAMORA. Liquidation po for confidential intelligence funds is provided under the Joint Circular 2015-01. For regular funds, it is COA Circular No. 97-002.

REP. LUISTRO. Can we laymanize it, Atty. Camora. Kapag po ba tayo'y magli-liquidate ng confidential fund, ano'ng dokumento ang nire-require natin from the agency?

MS. CAMORA. The requirements are all indicated po sa...na-mention po kanina, 4.8 of the joint circular.

REP. LUISTRO. In substance, would you agree with me that what we are requiring if is a confidential fund, one, is financial plan. Is that correct?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Two, is the accomplishment report. Is that correct?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And three, is the certification of the head of the agency.

MS. CAMORA. Yes...

REP. LUISTRO. Is that correct?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Whereas, when we speak about the liquidation of regular fund, what requirements do we ask from the agency?

MS. CAMORA. These are all under 97-002.

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REP. LUISTRO. I understand. If I would say that under the regular fund, you are requiring the MOA or the contract. Am I correct? I understand that there is a long list of documents, but I'm trying to emphasize only the substantial documents which should not be absent in the compliance of liquidation requirements.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. There has to be a MOA or a contract if it is a regular fund. Second, there has to be a receipt?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. There has to be an invoice?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Thank you.

May I request the Secretariat to please flash the first slide.

This slide summarizes the distinction between confidential fund and regular fund. In confidential fund, we have the Joint Circular 01, which regulates the same. For regular fund, we have the procurement law, otherwise known as RA 9184, as amended.

As to purpose, confidential fund is for the purpose of peace and order and surveillance activities to promote national interest. Regular fund are other purposes other than those mentioned in the confidential fund.

For procurement, there has to be posting and bidding, requirements which are not necessary for confidential fund and for liquidation. In confidential fund, it is enough that there is a financial plan, an accomplishment report and a certification of the head of agency. Whereas in regular fund, there has to be a receipt, an invoice, a copy of the MOA, a copy of the contract. Do you agree, Attorney?

MS. CAMORA. As to…yes, Mr. Chair.

REP. LUISTRO. Okay. I will cite some illustration for the better understanding of the Filipino people. I will be using confidential fund, ang bibilhin ko supplies of materials and equipments. Kailangan ko po bang mag-post at mag-bid?

MS. CAMORA. No, Mr. Chair.

REP. LUISTRO. Kailangan po ba na ang maging supplier nito is the lowest bidder?

MS. CAMORA. No, Mr. Chair.

REP. LUISTRO. No. But if I will be using a regular fund—I will be purchasing supplies of materials and equipment, of course, I need to go through the process of posting and bidding, and I need to choose the lowest bidder. Tama po ba?

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MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And then, Attorney, I will be renting a safe house for surveillance activities. So, this is a confidential fund?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Kailangan ko po bang mag-posting at mag-bidding?

MS. CAMORA. No, Mr. Chair.

REP. LUISTRO. No. Diretso na sa rental ng safe house for surveillance. Correct?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Do I still have to evaluate, invite, to be able to choose the lowest cost of rental for the surveillance?

MS. CAMORA. No need, Mr. Chair.

REP. LUISTRO. No need, because this is a confidential fund.

I will be buying a car for surveillance activities. Kailangan ko po bang mag-posting and bidding?

MS. CAMORA. No, Mr. Chair, although...

REP. LUISTRO. Do I need to choose the lowest bidder?

MS. CAMORA. No, Mr. Chair.

REP. LUISTRO. But if I will be using a regular fund, I need to go through the process of posting, bidding, and come up with the lowest bidder. Is that correct?

MS. CAMORA. That is correct, Mr. Chair.

REP. LUISTRO. If I will be procuring an equipment for surveillance activities, kailangan po ba ang posting at bidding?

MS. CAMORA. No, Mr. Chair.

REP. LUISTRO. No. Do I need to choose the lowest bidder?

MS. CAMORA. No, Mr. Chair.

REP. LUISTRO. But if I will be utilizing a regular fund, these requirements are all necessary. Tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. LUISTRO. Thank you.

Now, we proceed to confidential fund. I remember during the last hearing, tinanong po ito ni Honorable Marcoleta. He was saying that the other agencies and even the other LGUs have confidential fund, as well. Tama po, Attorney?

MS. CAMORA. Tama po, Mr. Chair.

REP. LUISTRO. You remember that?

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MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. He made a manifestation that even the other agencies of the government and the LGUs have confidential fund.

And I wish to share the second slide to our Committee. That is the basis of the confidential fund of the LGU, and tantamount to saying that it is true that even the LGUs have confidential fund. This is DILG Memorandum Circular 2022-118 and the JMC 2015-01. Tama po ba ito, Atty. Camora?

MS. CAMORA. Tama po Madam...Mr. Chair.

REP. LUISTRO. And you will agree with me also that under Section 16 of the Local Government Code, kasama po sa mandate ng LGU is to promote and maintain peace and order. I think the lawyers will agree, the lawyers from the DILG. I understand you're from COA.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. So, let me share this information that under Section 16 of the Local Government Code, bahagi po ng mandate ng LGUs, local government unit, is to promote and maintain peace and order, and this justifies kung bakit mayroong confidential fund ang mga LGUs. Tama po ba, Attorney?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Now let's go to the mandate of the OVP. Kasama po ba sa mandato ng OVP ang promotion ng peace and order, conduct of surveillance activity, and national security?

MS. CAMORA. May I ask po iyong OVP team? Mas knowledgeable po sila sa mandates.

REP. LUISTRO. OVP team, please. You are from COA also?

MR. FAHAD BIN ADBUL MALIK N. TOMAWIS (State Auditor, Commission on Audit). Yes, Mr. Chair.

REP. LUISTRO. But you are...

MR. TOMAWIS. May I allow to speak na po? May I allow to speak na po?

REP. KHONGHUN. Go ahead.

REP. LUISTRO. Can you please enlighten us what office are you representing why Atty. Camora refer you as the OVP team? Because I understand you are also from COA.

MR. TOMAWIS. I'm the Audit Team Leader of the Office of the Vice President for the audit of the regular funds.

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REP. LUISTRO. Audit Team Leader of the OVP with respect to regular funds. But I'm talking about confidential funds.

MR. TOMAWIS. Yes, Madam...Mr. Chair.

REP. LUISTRO. Do you think you are in the proper position to answer this question?

MR. TOMAWIS. But the question...

REP. LUISTRO. This is about confidential funds.

MR. TOMAWIS. But the question is all about the mandate of the OVP.

REP. LUISTRO. All right. What is the mandate of the OVP?

MR. TOMAWIS. Based on the notes to a financial statement of the AAR, Annual Audit Report, the OVP, as the second highest office in the land, committed to the service of the nation, OVP performs executive, ceremonial, and advocacy functions collaborating with stakeholders and organizations in both public and private sectors to develop and promote programs that uplift the lives of the Filipino people. That's the mandate of the OVP.

REP. LUISTRO. Does it in any way...

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REP. LUISTRO. (Continuing)...in any way...does it in any way mention about the peace and order, surveillance activity, and national security?

MR. TOMAWIS. Based on what I have said...

REP. LUISTRO. The question is answerable only by yes or no.

MR. TOMAWIS. No po.

REP. LUISTRO. It does not.

MR. TOMAWIS. Yes, Madam.

REP. LUISTRO. So, you confirm that matters concerning peace and order, national security, and surveillance is not part of the mandate of the OVP. Do you confirm that?

MR. TOMAWIS. Mr. Chair, yes po, based on the mandate provided.

REP. LUISTRO. Yes. And why do you think the OVP was given confidential fund considering that it is not part of the mandate to promote peace and order?

MR. TOMAWIS. I think I'm not the right person to answer the question because I think it may course through to the Department of Budget and Management because they are the ones who provided the confidential fund in 2022.

REP. LUISTRO. I understand. But let me state for the record that nowhere in the law, not even in the Constitution, provides that the OVP has the mandate of promoting and maintaining peace and order, conducting surveillance activity, and even matters concerning national security. That is for the record, Mr. Chair.

Now, talking about confidential fund, may we, please, flash the third slide.

Kanina po pinag-usapan natin that under Section 16 of the Local Government Code, ang mandato ng LGU is to promote peace and order. And that justifies kung bakit ang mga LGUs ay mayroong confidential fund.

Now, I wish to share this slide showing the LGUs which have the huge or the biggest number of confidential fund—this is representing year 2022: Davao City has 460 million; Cebu City has 7.38 million; the City of Manila has 120 million; Makati City has 240 million; and Quezon City has 75 million.

Nakakapagtaka lang po kung bakit nalampasan pa ng Davao ang City of Manila, ang Makati, ang Quezon City. For Makati, Davao almost doubled the confidential fund. For City of Manila, it almost tripled the confidential fund. Ang Cebu City po was way left behind because it is only 7.38.

So, I just want to state for the record the huge disparity of the confidential fund of Davao City as compared with the other LGUs. We have on the screen: Cebu

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City, 7.38; City of Manila, 120 million; Makati City, 240 million; Quezon City, 75 million; while Davao, it skyrocketed to 460 million.

May we request the Secretariat to please flash the fourth slide.

This is the history of confidential fund of Davao City: 2016, it is 144 million; 2017, it is 294; 2018, it's 420; 2019, it is 460; 2019 up to 2022, it is 460 million.

I just wish to state for the record, Mr. Chair, that while we acknowledge that the LGU is entitled to confidential fund—because under Section 16 of the Local Government Code, bahagi po ng mandato nila is the promotion of peace and order—I just wish to state for the record that during this time—2018 to 2022—the Mayor of Davao City, I believe, is no less than the Vice President.

And I wish to state for the record as well that the confidential fund that we're discussing about the OVP—last quarter of 2022 and the first three quarters of 2023—the one in disposal is no less than our Vice President as well.

I wish to express my... I wish to lament that it seems to us that the confidential fund is being used comfortably. We have to emphasize that it's... it is addressing a very important reason, and that is the promotion of peace and order, conduct of surveillance activities, including matters concerning national security. And if this is the case, Mr. Chair, I believe that the COA has to be very strict concerning the very loose, the very light, and the very few requirements which are being imposed in procurement and even liquidation of confidential funds.

What I wish to point out, Mr. Chair, maluwag tayo sa confidential fund because we give value to matters concerning peace and order and national security. However, Mr. Chair, I observed na ito pong kaluwagan na ito ay nagiging dahilan kung bakit ang COA ngayon are issuing the Notice of Disallowance and even this Congress is prompted to conduct an inquiry in aid of legislation.

I wish to manifest my observation that the irregularities which have been observed in the utilization of confidential fund in the Office of the Vice President should be checked as well with respect to the utilization of confidential fund of Davao City during those times that the mayor is no less than our Vice President.

I submit, Mr. Chair.

THE CHAIRPERSON. Thank you.

We will now proceed to the... to our next topic—the DEPED regular fund.

So, may we request all the invited witness... witnesses, resource person of DEPED. Pupuwede pong maupo po muna kayo dito.

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And before we start with the interpolators, may we call on our very... we have a very... we have a very... the Chair would like to call on Usec. Gloria Jumamil-Mercado. Yes.

Nakaupo na po ba iyong mga resource person natin sa DEPED?

Now, before we start the interpellation, maybe we can ask the ComSec to administer the oath to Ma'am... to Usec. Mercado.

ComSec.

THE ACTING COMMITTEE SECRETARY. Ms. Gloria Jumamil-Mercado, please stand up and raise your right hand.

At this juncture, Ms. Gloria Jumamil-Mercado stood up to take her oath.

THE ACTING COMMITTEE SECRETARY. Do you swear to tell the truth, the whole truth and nothing but the truth in this Committee?

MS. GLORIA JUMAMIL-MERCADO (Former Undersecretary, Department of Education). I will.

THE ACTING COMMITTEE SECRETARY. So, help you God.

Thank you, Your Honor. The oath has been administered.

THE CHAIRPERSON. Okay. I understand, Ma'am, Usec, that you have a statement. Mayroon po kayong statement na sasabihin. You are now recognized.

MS. JUMAMIL-MERCADO. Thank you, Mr. Chair.

Before I start, I'd just want to say that this is a very difficult thing to do and I apologized to my children who didn't like me to join this session, and also my colleagues who are my friends. But I have to read my statement.

My name is Gloria Jumamil-Mercado, and I have a dedicated over... I have dedicated over 40 years...

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MR. MORENO. (Continuing)...over 40 years to public service in the government of the Philippines. In my last year with the government, I served as the Undersecretary for Human Resource and Organizational Development of the Department of Education. I was appointed as DepEd Undersecretary by President Marcos, as recommended by Vice President Sara Zimmerman Duterte in 2022 and I assumed office in August of 2022...in February 2022. In February 2023, I was designated as the Head of the Procuring Entity of DEPED. As one of the signatories of DEPED's checking account, alongside Undersecretary for Finance, Annalyn Sevilla, I signed checks related to the... related to all funds and recalled that each one... one... some of the checks that I signed amounted to 37 million 500 thousand pesos.

Between February 2023 to September 2023, I received a total of nine envelopes labelled "HOPE", my concurrent position in DEPED during that time. These envelopes were handed to me mostly by Assistant Secretary Sunshine Fajarda, which she can... she says came directly from Vice President Duterte, what... what she would typically say as she hands the envelope. It would appear that I received this envelope by virtue of my office as HOPE. Atty. Fajarda is the wife of Edward Fajarda who is the Special Disbursement Officer. Although the exact date evades recollection, sometime during the course of my tenure with DEPED, a member of my staff informed me that an inquiry was made by one of our officers in the field. Mr. Fajarda had made inquiries about the bank accounts of several individuals, and if... and if divulging such information to him was permitted. My office confirmed that it was upon the instruction of the Office of the Secretary. Evidently, it would appear that regional directors and other employees on the field would also receive sums on top of their regular salaries.

Sometime in October 2023, as the likelihood of a bidding failure for DEPED Computerization have become apparent, I was approached—sorry—by Atty. Munsayac and he suggested in the presence of other officials, who was with me, that the bidder should just discuss among themselves, mag-usap-usap na lang para hindi masayang iyong pera ng 2023. I firmly asserted that the procurement must be implemented and conducted in strict adherence with the rules.

Sometimes in the third or fourth week of October, I was summoned by Zuleika Lopez, the Chief of Staff of the Vice President and Undersecretary of the OVP, I was informed that I should tender my resignation effective that day. I refused to resign and I insisted on departing from service through voluntary retirement.

The timing of my meeting with Ms. Zuleika struck me as more than coincidental, it gave me the impression that my candid responses was the reason...

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real reason behind the push to relieve me of my office. It was as if I had become an unwelcome obstacle despite simply doing my job as HOPE and Undersecretary of Human Resource of DEPED.

Prior to my meeting with Ms. Zuleika, there were other Undersecretaries and Assistant Secretaries who were summoned also and… who were also summoned, all of the same purpose of informing them that they should tender their resignation effective on the same day.

I signed my Affidavit.

REP. LUISTRO. Can we request for the copy of the Affidavit, Mr. Chair?

THE CHAIRPERSON. ComSec, could you please get or… yes, puwede po bang makahingi kami ng Affidavit?

Thank you po, Ma'am, sa inyong statement.

REP. FERNANDEZ. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Dan Fernandez, with the indulgence of Congresswoman Jinky Luistro.

REP. FERNANDEZ. Yeah. We don't have a copy yet of the Affidavit, but I heard the name of Atty. Munsayac and a while ago Congressman Chairman Caraps mentioned his name as the former official of the OVP. Can we invite also…

THE CHAIRPERSON. Atty. Munsayac, could you please take...

REP. FERNANDEZ. Yeah, yeah. Can we invite him over because your name was mentioned in the Affidavit of Ms. ano…what's your name, Ma'am?

MS. JUMAMIL-MERCADO. Mr. Chair, I'm Dr. Mercado.

REP. FERNANDEZ. Dr. Mercado. Your name is Gloria?

MS. JUMAMIL-MERCADO. Yes.

REP. FERNANDEZ. Gloria Mercado. Okay. Thank you so much, Mr. Chair.

THE CHAIRPERSON. Yes. May I request the ComSec to please reproduce the Affidavit of Usec Mercado and furnish all the Members of the Committee with the copy.

REP. GUTIERREZ. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Gutierrez.

REP. GUTIERREZ. Mr. Chair, in the same line of the administrative matter raised by Honorable Fernandez, I believe another Usec is here also present with us, si Atty. Poa, and he was also mentioned in the Affidavit. Perhaps we may ask him to join us here in the…

THE CHAIRPERSON. Yes. Atty. Poa…

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REP. GUTIERREZ. Thank you, Mr. Chair.

THE CHAIRPERSON. ... you are invited. Please take a seat.

ComSec, pupuwedeng paki-assist po si Attorney...

Sir, siguro puwedeng maghiwalay po kayo, baka magkalabitan po kayo. Puwede... baka puwede po maghiwalay po kayo para at least... para maiwasan po natin iyong lambingan dito. Paghiwalay na lang po natin... (*Informal)*

REP. SUAREZ. Mr. Chair, while we are attending to the arrangement and physical arrangements of the Committee, may I request for a five-minute suspension?

THE CHAIRPERSON. Five-minute suspension is declared by the Chair.

Suspension: 1:16 p.m.

Resumption: 1:24 p.m.

THE CHAIRPERSON. Hearing resumes.

Our first interpellator would be Congressman Dan Fernandez.

Congressman.

REP. FERNANDEZ. Mr. Chairman, this is brief lang po, ano. As I read the Affidavit, medyo mabibigat po itong mga accusations that was mentioned by Mr. Gloria Jumamil-Mercado. But while we are in break, I tried... trying to call my... mga contacts about this person, si Gloria Jumamil-Mercado.

If I may be allowed to just establish some qualifications that you have... just answer us truthfully, Ms. Gloria Jumamil-Mercado. Ano po ba ang pinagmulan po ninyo? You are in the public service for 40 years, but ano po iyong mga foundation that you can relay to this Committee as your established personality?

MS. JUMAMIL-MERCADO. Thank you, Chair, for that question.

THE CHAIRPERSON. Yes, Usec. Mercado, you are recognized.

MS. JUMAMIL-MERCADO. I was... as I have mentioned, I'm already 40 years in government, I was pulled out from my 40-year college, I was 19 years old when I worked with then Minister Vicente Paterno as MASIKAP. I think one of the famous MASIKAP here is also Congressman... Congressman from Cagayan de Oro.

So, I started working in Mindanao as a field worker and I rose the rank up to an Assistant Secretary on... mostly on merit and then I had my PhD in Mainland China Studies. So, when I got back, I was asked by Secretary Bert Gonzales to join him in the National Security Council, and that's where I was totally grounded on social democracy and being able to work well with the countryside...

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MS. JUMAMIL-MERCADO. (Continuing)...countryside and the other sectors.

REP. FERNANDEZ. So, in other words, Mr. Chairman, your foundation of your having served for 40 years in the public service is social democrats.

MS. JUMAMIL-MERCADO. Yes po, Sir.

REP. FERNANDEZ. Mr. Chairman, kasi iyon pong mga social democrats, iyon pong equality, 'no, like Sweden, Norway, and the different parts of this world, adhere to this social democracy, which establish a fairness and equal rights for every citizen of their country. And I heard that—correct me if I'm wrong, Madam Gloria—were you tapped on the Yolanda rehabilitation, on the capacity building of the different LGUs by former Senator Ping Lacson.

MS. JUMAMIL-MERCADO. Yes po, Sir.

REP. FERNANDEZ. Bakit po kayo tinap *(tap)* ni Senator Ping Lacson? What is your credibility and your capacity to lead iyong sa Yolanda rehabilitation?

MS. JUMAMIL-MERCADO. I was actually wearing two hats, Mr. Chair. The first one is I was the Commander of the Naval Forces Reserve, Eastern Visayas. I'm a Commodore po of the Philippine Navy Reserve.

REP. FERNANDEZ. So, reservist po kayo ng, ano...

MS. JUMAMIL-MERCADO. Yes po, Sir.

REP. FERNANDEZ. ...ng Navy?

MS. JUMAMIL-MERCADO. Yes, Sir. And second is that I was the Senior Vice President and Dean of the Development Academy of the Philippines. And we were asked by Senator Ping Lacson of then Presidential Adviser for the Yolanda rehabilitation to develop a course for all the...for the 179 municipalities and towns that were affected by the...which we call the Yolanda Corridor. So, we customized a program for them, and they didn't come up with a thesis. It's a master's degree. What become...what we came out, each of the planner will come out with a new town plan that is on a build better framework.

REP. FERNANDEZ. So, in other words, Madam Chair, Mr. Chair pala, and Madam Gloria, iyon pong trabaho po ninyo para to...para maintindihan po ng...in a layman's term, 'no, iyong naging trabaho ninyo as Senior Vice President po ba kayo ng Development Academy of the Philippines?

MS. JUMAMIL-MERCADO. Yes po.

REP. FERNANDEZ. If I may, ano, ito po bang trabaho ninyo dito kung ilalagay po natin para mas maintindihan natin, kayo po iyong nagti-train para doon sa mga career executive, am I correct?

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MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. FERNANDEZ. So, in other words, your capacity as one of the pillars of the Development Academy of the Philippines is to give ammunition to those affected doon sa Yolanda tragedy.

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. FERNANDEZ. Is that correct?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. FERNANDEZ. Were you also a pioneer noong tinatawag nating sa Development Security Program for the Command and General Staff ng college ng Armed Forces of the Philippines?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. FERNANDEZ. Were you a part of it?

MS. JUMAMIL-MERCADO. Kasi, as…as also a reservist po, I realized that iyong nag-aaral sa Command and General Staff College, they only get a Certificate of a Command and General Staff Course. So, naisip namin sa DAP is to twin a program. We expanded the training so that pag graduate nila sa Command and General Staff College, hindi lamang sila certified of the Command and General Staff Course, mayroon din silang Master's in Public Management, major in Development and Security. Ang tinuturo po namin, Mr. Chair, is for the Armed Forces to be able to work properly in the ground, especially with the NGOs and the local government units.

REP. FERNANDEZ. Okay. Aside from that, somebody texted me as well. They saw you on the live stream of the House of Representatives, and they're telling us…telling me that you are a senior fellow of the Philippine Public Safety College wherein I'm going to graduate on Friday.

MS. JUMAMIL-MERCADO. Yes, Sir.

REP. FERNANDEZ. Are you a Dean of the PPSC?

MS. JUMAMIL-MERCADO. No, Sir. We developed…we helped develop the program. So, I chair the Advisory Committee.

REP. FERNANDEZ. So, you created the program that we are…

MS. JUMAMIL-MERCADO. Yes, yes, Sir.

REP. FERNANDEZ. …that is being taught to us?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. FERNANDEZ. Kasi one year na po akong nagma-masteral sa PPSC.

MS. JUMAMIL-MERCADO. Public Safety.

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REP. FERNANDEZ. Sa Public Safety and I'm quite, ano, surprised that you are a former senior fellow of the PPSC.

And with that, Mr. Chairman, 'no, I...I was quite surprised to find out that... No, no, actually, I'm not surprised anymore. A while ago when I was hearing your testimony on your Affidavit, medyo nagiging questionable pa sa akin iyong mga dineklara ninyo dito. But now that I found out all of this qualification that was given to me by my friend who have watched you testifying on this Committee, I must agree that you really have a ball, 'no. Maano kayo talaga. You were established on your foundation on the true public service that are being given by you.

And with that, Mr. Chairman, I will not be furthering my query anymore because I believe that this person who will be testifying to us have this high credibility.

Maraming salamat po, Mr. Chairman.

THE CHAIRPERSON. Thank you.

I will...I will be the next interpellator.

Ma'am, kanina po binanggit po ninyo dito na...sa inyong Affidavit. Ito po ba iyong Affidavit na binabanggit po ninyo na pirmado po ninyo dated 25 of September 2024?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Ito po iyong pirma ninyo na nakalagay po sa taas ng Gloria Jumamil Mercado. Pirma po ba ninyo ito?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. So, alam naman po ninyo at ito po'y under oath.

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. So, ibig sabihin po nito, at kanina rin po kayo po ay nag-take ng oath so lahat po ng sasabihin ninyo po dito ay dapat pawang katotohanan lamang. Tama po ba?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Kanina po binanggit po ninyo dito na kayo po ay...by the way, ano po iyong inyong educational background, puwede po bang malaman namin?

MS. JUMAMIL-MERCADO. I have a Bachelor's in Economics and a Master's in National Security Administration.

THE CHAIRPERSON. National Security Administration.

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MS. JUMAMIL-MERCADO. And a PhD po in Chinese Studies.

THE CHAIRPERSON. And PhD?

MS. JUMAMIL-MERCADO. In Chinese Studies.

THE CHAIRPERSON. In Chinese Studies. Okay.

Sabi po ninyo dito kanina, sa inyong number two Affidavit, I was appointed as DEPED Undersecretary by President Ferdinand Romualdez as recommended by Vice President Sara Zimmerman Duterte in 2022. Bakit po si...paano po ninyo nakilala si VP Sara? At bakit kayo po ang napili niya na irekomenda bilang Undersecretary ng DEPED?

MS. JUMAMIL-MERCADO. Thank you, Sir. Thank you, Mr. Chair.

We actually went through a selection process. There was an advertisement by the CES Board that the Department of Education is going to recruit Undersecretaries, Assistant Secretaries. So, we saw that ad. I was currently working with the Office of the Presidential Adviser for Streamlining Government Processes. And so we applied. We were interviewed. And then we received a communication that we passed the interview and the process, the selection process, and that we are to assume at a specific date.

THE CHAIRPERSON. Okay. So, ibig sabihin po, prior to your appointment as Undersecretary, hindi pa po ninyo kilala si Vice President Sara Duterte. Tama po ba?

MS. JUMAMIL-MERCADO. Kilala naman po.

THE CHAIRPERSON. Kilala na po ninyo.

MS. JUMAMIL-MERCADO. Your Honor, kasi she studied at the Development Academy of the Philippines...

THE CHAIRPERSON. Okay.

MS. JUMAMIL-MERCADO. ...where I was the Dean and the Senior Vice President. She was our graduate student.

THE CHAIRPERSON. So, Dean po kayo sa DAP?

MS. JUMAMIL-MERCADO. Yes po, Sir, Your Honor

THE CHAIRPERSON. Ano pong...ano pong course ang...kung saan po kayo Dean?

MS. JUMAMIL-MERCADO. Sir, it's...it's just one.

THE CHAIRPERSON. So, iyong buong DAP kayo po iyong ano.

MS. JUMAMIL-MERCADO. Yes, Sir.

THE CHAIRPERSON. Okay. Development Academy, tama po ba?

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MS. JUMAMIL-MERCADO. It's the graduate school of Public and Development Management.

THE CHAIRPERSON. Okay. So, dito po ninyo nakilala si VP Sara?

MS. JUMAMIL-MERCADO. Yes po. Yes, Your Honor.

THE CHAIRPERSON. Okay.

MS. JUMAMIL-MERCADO. And I was actually her advisee...adviser of her thesis for her master's degree.

THE CHAIRPERSON. Okay. So...So, iyong recommendation po niya, kayo po ay naging Undersecretary for Human Resources and Organizational Development. Tama po ba?

MS. JUMAMIL-MERCADO. Yes. Yes, Chair.

THE CHAIRPERSON. Okay. So, ilan po ba ang Usec ng DEPED?

MS. JUMAMIL-MERCADO. We were nine po.

THE CHAIRPERSON. Siyam po. Ano-ano po iyong mga Usec na ito?

MS. JUMAMIL-MERCADO. Usec for Finance, Admin...

THE CHAIRPERSON. Finance.

MS. JUMAMIL-MERCADO. Infrastructure, infrastructure.

THE CHAIRPERSON. Infra?

MS. JUMAMIL-MERCADO. Yeah. We were Admin, Finance, Curriculum, Human Resource and Organizational Development...

(MS. PRECIOSA V. BALDONAZA TOOK OVER)

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MS. JUMAMIL-MERCADO. (Continuing)...and Organizational Development.

THE CHAIRPERSON. Pakilakasan po, pakilakas.

MS. JUMAMIL-MERCADO. Human Resource and Organizational Development, Operations, Planning, Procurement...

THE CHAIRPERSON. And Procurement.

MS. JUMAMIL-MERCADO. ...and the Chief of Staff.

THE CHAIRPERSON. May Usec. for Procurement po?

MS. JUMAMIL-MERCADO. Sir, the Usec. for Procurement was a product of an organizational review, which we did when we came into DAP...ah, into DEPED.

THE CHAIRPERSON. Okay. So, as Usec. for Human Resources and Organizational Development, kayo rin po ay na-designate as Head ng Procuring Entity?

MS. JUMAMIL-MERCADO. Only in 2023, Sir, February 2023.

THE CHAIRPERSON. So, dalawa po iyong function ninyo, Usec po kayo ng Human Resources and, at the same time, kayo rin po ang Head ng Procuring Entity. Tama po ba?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Bakit hindi po iyong Usec. for Procurement ang Head ng Procuring Entity or ng HOPE? Bakit po iyong sa Human Resources po? Kayo po...iyong opisina po ninyo, ang pagkakaalam ko sa Human Resources, kayo po iyong sa mga recruitment ng tao. Tama po ba?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. Iyon po iyong trabaho ninyo, tama po ba?

MS. JUMAMIL-MERCADO. Ang trabaho ko po, Mr. Chair, is Human Resource, then I have the National Educators Academy of the Philippines, and the Teachers Excellence Council.

THE CHAIRPERSON. Tama po.

MS. JUMAMIL-MERCADO. There's 1.1 million...

THE CHAIRPERSON. So, in short po, iyong trabaho ninyo has nothing to do with procurement?

MS. JUMAMIL-MERCADO. Yes. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. So, ang tanong ko po, bakit po kayo ang naging Head ng Procuring Entity? Bakit kayo po ang napili?

MS. JUMAMIL-MERCADO. I think, it's a trust.

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THE CHAIRPERSON. It's a trust. So…kasi, puwede naman iyong Finance, puwede naman po iyong Admin. Tama po ba?

MS. JUMAMIL-MERCADO. *(Nodded)*

THE CHAIRPERSON. Okay. So, it's a trust.

MS. JUMAMIL-MERCADO. *(Nodded)*

THE CHAIRPERSON. Okay. Thank you po.

So, kanina po, binanggit po ninyo dito sa inyong paragraph 3 ng Affidavit ninyo, ang sabi niyo, "As one of the signatories of DEPED's checking account, alongside Usec. Annalyn Sevilla, I signed checks related to the Department's confidential fund and recalled that each one amounted to 37 million 500 thousand (37,500,000.00)." So ito pong 37 million 500 thousand, ilang beses po kayong nagpirma ng tseke, in connection dito sa 37…ilang 37 million 500 thousand pong tseke ang napirmahan po ninyo habang HOPE po kayo?

MS. JUMAMIL-MERCADO. Mr. Chair, I'm not very sure if it's two or three.

THE CHAIRPERSON. Okay.

MS. JUMAMIL-MERCADO. It should be around that.

THE CHAIRPERSON. Two or three. So, more or less, mga nasa 54 million ang napirmahan po ninyo. Tama po?

MS. JUMAMIL-MERCADO. Yeah, but separate checks.

THE CHAIRPERSON. Opo. Dalawang check na worth 37…74. Opo. Now, sabi po ninyo sa paragraph 4, "Between February 2023 to September 2023, I received a total of nine envelopes labelled "HOPE", my current position in DEPED during that time".

MS. JUMAMIL-MERCADO. Concurrent.

THE CHAIRPERSON. Ano po…Tama po ba?

MS. JUMAMIL-MERCADO. Concurrent position.

THE CHAIRPERSON. Yes. So, tama po ba itong sinabi ninyo?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Ano po iyong laman nitong siyam na envelope na ito?

MS. JUMAMIL-MERCADO. It's 50,000 pesos.,

THE CHAIRPERSON. Fifty thousand. So, 50,000 times nine. So, for nine months…ilang buwan po kayong naging HOPE? Nine months?

MS. JUMAMIL-MERCADO. May I explain that?

THE CHAIRPERSON. Yes, please.

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MS. JUMAMIL-MERCADO. I've been receiving that envelope, but I never opened it while I was at DEPED. Some of my friends, when I left, they saw that those envelopes still intact, not opened. So, I actually didn't know how much money there was in each of the envelope.

THE CHAIRPERSON. But how did you know na pera po ang laman noon?

MS. JUMAMIL-MERCADO. When I retired already, I was asking for an exit call, so I could return.

THE CHAIRPERSON. You were asking for?

MS. JUMAMIL-MERCADO. For an exit call, when I was leaving already DEPED, because I wanted to return those envelopes. But I wasn't able to have that exit call, I wasn't able to return. But, so, I sought some advice, and they just advised me to donate it to a non-government organization, which I did. And that's the only time that I opened those envelopes in front of the people that I was donating it, and it was 50,000 per envelope.

THE CHAIRPERSON. So, 50,000 times nine.

MS. JUMAMIL-MERCADO. It's 450 po.

THE CHAIRPERSON. Four hundred fifty.

MS. JUMAMIL-MERCADO. They issued me a receipt for that 450.

THE CHAIRPERSON. Okay. Sino po ang nag-issue ng receipt?

MS. JUMAMIL-MERCADO. Iyong the one who…it's an…

THE CHAIRPERSON. The one na…

MS. JUMAMIL-MERCADO. It's an NGO that I donated the money.

THE CHAIRPERSON. Okay. So, iyong pinag-donate po ninyo.

MS. JUMAMIL-MERCADO. Yes po.

THE CHAIRPERSON. Do you have that receipt?

MS. JUMAMIL-MERCADO. Yes, Sir. Yes, Mr. Chair.

THE CHAIRPERSON. Can we have a copy of the receipt, Ma'am?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. Thank you po.

So, buwan-buwan po, nakakatanggap po kayo ng 50,000 at sinasabi po nitong si Assistant Secretary Sunshine Fajarda, sabi po ninyo sa kanya, itong envelope na ito ay galing po from the Office of Vice President Sara Duterte o galing kay VP. So, ano po ba ang trabaho nito, ni Assistant Secretary Sunshine Fajarda?

MS. JUMAMIL-MERCADO. She used to be the Head Executive Assistant…

THE CHAIRPERSON. HEA.

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MS. JUMAMIL-MERCADO. Yes. And then, she became an Assistant Secretary.

THE CHAIRPERSON. Okay. At ang asawa po niya, sabi po ninyo dito, si Edward Fajarda, siya naman po ang Special Disbursement Officer. Tama po ba?

MS. JUMAMIL-MERCADO. Yes.

THE CHAIRPERSON. Okay. So, ibig sabihin po, itong mag-asawa po, si Sunshine Fajarda at si Edward Fajarda ay very close po talaga sa Vice President. Tama po ba? Masasabi po ba ninyo na very close sila?

MS. JUMAMIL-MERCADO. I couldn't say that po.

THE CHAIRPERSON. Pero, the fact na si Sunshine Fajarda ay HEA, so siya po iyong laging kasama. Tama po ba?

MS. JUMAMIL-MERCADO. If you're the HEA, you're usually the one who has trust and confidence from the Office...

THE CHAIRPERSON. Yes, trust and confidence. So, ano po ba iyong mga trabaho kadalasan ng HEA?

MS. JUMAMIL-MERCADO. It's really doing the...

THE CHAIRPERSON. Parang Chief of Staff din po iyan, eh, tama po ba?

MS. JUMAMIL-MERCADO. Yes.

THE CHAIRPERSON. So, pagka dumating na si HEA at may sinabi pong instruction sa inyo, parang ang kausap na rin po ninyo iyong boss. Tama po ba?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

THE CHAIRPERSON. So, okay. So, ito po bang...so, tuwing nagpupunta po siya sa inyo, sabi ninyo, nine months, sunod-sunod, nagbibigay po siya ng envelope na may laman pong 50,000. Tuwing nagpupunta po siya sa inyo, sinasabi po niya, "Galing kay VP". Tama po ba?

MS. JUMAMIL-MERCADO. Kami po iyong umaakyat sa...

THE CHAIRPERSON. Ah, umaakyat kayo.

MS. JUMAMIL-MERCADO. ...Office of the Secretary.

THE CHAIRPERSON. Saan po kayo umaakyat, saang opis po?

MS. JUMAMIL-MERCADO. Sa Office of the Secretary, kasi that's where she holds office.

THE CHAIRPERSON. Sa Office ni Assistant Secretary Fajarda?

MS. JUMAMIL-MERCADO. Yes, Chair.

THE CHAIRPERSON. Okay. By the way, ito po bang opisina po niya, gaano po ito kalayo sa opisina ni VP Sara?

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MS. JUMAMIL-MERCADO. The same...

THE CHAIRPERSON. The same office. So, ibig sabihin, isang opisina lang po silang dalawa.

MS. JUMAMIL-MERCADO. *(Nodded)*

THE CHAIRPERSON. Okay. Pero kasi, normally po, iyong Usec ang nagpapatawag ng ASec, eh. Tama po ba? Tama po ba? Kasi mas mataas po iyong Usec kaysa sa ASec, eh, but this time, iyong ASec po ang nagpapatawag sa Usec. Tama po ba?

MS. JUMAMIL-MERCADO. Yes, Chair.

THE CHAIRPERSON. Okay. So, iyon po, eh, hindi naman normal, kasi normally talaga iyong...ang boss ng ASec iyong Usec. Tama po ba?

MS. JUMAMIL-MERCADO. *(Nodded)*

THE CHAIRPERSON. Okay. So, the fact na kayo po ay ipinatatawag ng ASec, eh, ibig sabihin po talaga, eh, talagang very close at talagang parang very close siya sa Secretary. Tama po ba? Parang alter ego po siya.

MS. JUMAMIL-MERCADO. *(Nodded)*

THE CHAIRPERSON. Okay. Iyong...paki-describe niyo nga iyong opisina ng Office of the Vice President at saka ito pong opisina ni Assistant Secretary Sunshine Fajarda. Ano po ba iyan, isang...kunyari, halimbawa, ito po, isang opisina ito, mayroon lang po ba siya doong table or mayroon din siyang sariling opisina doon?

MS. JUMAMIL-MERCADO. May sarili siyang cubicle.

THE CHAIRPERSON. May sarili siyang opisina. So, para siyang Chief of Staff doon. Okay. Pero lahat iyan under ng Office of the Secretary.

MS. JUMAMIL-MERCADO. *(Nodded)*

THE CHAIRPERSON. Kasi, normally po, ang mga may opisina lang po doon Usec. Tama po ba?

MS. JUMAMIL-MERCADO. Ah, may...

THE CHAIRPERSON. Ang mga Usec po may kanya-kanyang opisina. Tama po ba?

MS. JUMAMIL-MERCADO. Sa ibaba po.

THE CHAIRPERSON. Sa ibaba. Eh, iyong mga ASec po, may mga opisina rin po ba?

MS. JUMAMIL-MERCADO. Yes, Your Honor.

THE CHAIRPERSON. Saan po?

MS. JUMAMIL-MERCADO. Ah...

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THE CHAIRPERSON. Sa ibaba rin?

MS. JUMAMIL-MERCADO. Naka-scatter, kasi madami.

THE CHAIRPERSON. Naka-scatter. So, ibig sabihin, on top doon sa opisina niya as ASec, mayroon din siyang opisina sa loob ng opisina…

(MS. MARY JENELYN L. VASQUEZ TOOK OVER)

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THE CHAIRPERSON. (Continuing)…sa loob ng opisina ng Secretary as HEA.

MS. JUMAMIL-MERCADO. No po, Chair.

THE CHAIRPERSON. Ah, wala.

MS. JUMAMIL-MERCADO. Iyon lang iyong office niya po.

THE CHAIRPERSON. Ah, iyon lang ang office niya?

MS. JUMAMIL-MERCADO. Oo.

THE CHAIRPERSON. So, ibig sabihin talaga…

MS. JUMAMIL-MERCADO. Kasama din niya iyong Usec…ah, iyong Chief of Staff.

THE CHAIRPERSON. Okay.

MS. JUMAMIL-MERCADO. Ang nag-o-office doon Chief of Staff at saka iyong ASec.

THE CHAIRPERSON. Doon sa loob ng opisina ng Secretary?

MS. JUMAMIL-MERCADO. Yes, under the…yes.

THE CHAIRPERSON. Okay. So, iyon lang po. Salamat po.

REP. KHONGHUN. Mr. Chair.

THE CHAIRPERSON. Yes, with the indulgence of Congresswoman Luistro, the Chair would like to recognize Congressman Jay Khonghun.

REP. KHONGHUN. In connection lang po, Ma'am, doon sa tanong ni Chair, tanong ko lang po, Ma'am, noong naramdaman niyo po na inaabot…may nag-aabot po sa inyo ng sobre buwan-buwan, ano po ang pakiramdam ninyo? Bakit hindi niyo po binuksan?

MS. JUMAMIL-MERCADO. I…I must admit that I was uncomfortable with the…with those envelopes, but parang ang hirap din. Kasi I'm not sure if others are receiving. Parang ang hirap din mag-ano na…I was…I was...I didn't know if others are receiving. I cannot say. So, ang ginawa ko na lang is, I had this pouch that iniiwan ko lang sa office, nilalagay ko lang doon iyong mga binibigay sa akin na pera na…

REP. KHONGHUN. Sa pakiramdaman po ninyo, para po saan iyon?

MS. JUMAMIL-MERCADO. Ako, ang feeling ko is, she has naman resources to…to give to…to… I mean she has probably personal resources that she can share to…to her people. And I'm not…I'm not really, ayaw ko mag-speculate, but the only thing I could say is, I wasn't comfortable with it.

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REP. KHONGHUN. Hindi po ba kayo nagtataka kayo po iyong Head ng HOPE ng procure...Procuring Entity, tapos may natatanggap po kayo na buwanang 50,000?

MS. JUMAMIL-MERCADO. As I mentioned, it is uncomfortable and that's precisely the reason why I wasn't opening it at all. I was just putting it in one pouch.

REP. KHONGHUN. Thank you, Mr. Chair.

THE CHAIRPERSON. The Chair...

REP. LUISTRO. Mr. Chair.

THE CHAIRPERSON. ...would like to recognize Congresswoman Luistro.

REP. LUISTRO. Thank you.

My question is addressed to Ma'am Mercado. Ma'am, do you confirm when you were still in DEPED, you were occupying concurrently Usec for HR and HOPE?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. LUISTRO. Sabay po iyon. When were you appointed as Undersecretary for Human Resources and Organizational Development?

MS. JUMAMIL-MERCADO. We were all appointed together by the President, July, but I only assumed office...

REP. LUISTRO. Can you please state the year?

MS. JUMAMIL-MERCADO. July 2022 po.

REP. LUISTRO. Okay.

MS. JUMAMIL-MERCADO. But I only assumed office in August 15, 2022 because I was still winding up my work with another office.

REP. LUISTRO. So, you would agree with me if I say that you were appointed as Usec for HR, July '22, but you assumed the position, August 15, 2022?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. LUISTRO. With respect to your appointment as Head of Procuring Entity, kailan po kayo na-appoint?

MS. JUMAMIL-MERCADO. That's February 2023.

REP. LUISTRO. February 2023. Let's go back to your appointment as Usec for HR. From August 15, 2022, kayo po ba ay pinaaakyat din ni ASec Sunshine to receive this envelop, which you refused to open?

MS. JUMAMIL-MERCADO. Not on 2020. I don't recall 2022. We...we have simple...we have gifts on December, but I don't recall a monthly thing before that.

REP. LUISTRO. In other words, from August 15, 2022—that is the date of your appointment as Usec for HR—until before February 2023, which is your

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appointment as Head of Procuring Entity, you are not receiving any envelope from ASec Sunshine?

MS. JUMAMIL-MERCADO. No.

REP. LUISTRO. And you will confirm that this envelope started only when you were appointed as Head of Procuring Entity?

MS. JUMAMIL-MERCADO. It's…it's actually not very clear to me anymore, but I recall we also received some amounts in…in 2022, but it's very vague to me anymore so. And then I don't have the envelope. So, parang…parang it wasn't…

REP. LUISTRO. So, how do you receive those amounts which are vague, not regular, if there are no envelopes?

MS. JUMAMIL-MERCADO. No, I think it's only once. It's like a Christmas bonus. Pero siguro hindi siya naka-envelope kasi I didn't keep it.

REP. LUISTRO. Tama po bang sabihin, Ma'am, na iyon pong regular, monthly envelope, which you later on found out contains 50,000 per envelope, ay nag-umpisa lamang noong kayo'y na-appoint as Head of Procuring Entity?

MS. JUMAMIL-MERCADO. As far…I'm still keeping those envelopes. So, I would like to say yes.

REP. LUISTRO. Yes. Because it is very clear from your Affidavit, 'no, these envelopes started in February and ended in September of 2023. And earlier, you said, kayo po'y na-appoint bilang HOPE noong February 2023, and prior to that, since your appointment in August 15, 2022, wala kayong nare-recall regular envelope which you are…you were receiving from ASec Sunshine.

Can you please enlighten us what is with HOPE? Bakit doon lang po nag-umpisa itong envelope na ito upon your appointment as Head of Procuring Entity?

MS. JUMAMIL-MERCADO. It's a…it's a very difficult task, especially for someone who has not tried to be one before. Parang it's an area that I really evaded all my entire government life, but I needed…there's just too many…too many already pending procurement at that time. So, when I was asked if I could be designated as the HOPE, I first refer them to other people who are seasoned in procurement, like sina Usec. Revsee, but Usec. Revsee was already too pre-occupied with operations. So, I finally accepted the position, and it was difficult because I have to study the procurement law and I had…I was given…I had a lawyer and someone who has been… a retiree, to review the documents with me when we signed the contracts.

And I had commitment from…when I accepted the post, I made it a family decision, you know. Like, among the EXECOM, I asked our legal…our legal before,

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Usec. Brady, Brady and ASec. Amanda Nograles, that everything that I signed has to be thoroughly reviewed by legal. And so, we…I had that commitment of support from everyone in the EXECOM and so, I accepted the post.

REP. LUISTRO. In brief, Ma'am, can you please enlighten us, why do you say na mahirap, difficult, ang position ng HOPE?

MS. JUMAMIL-MERCADO. Because you have to read through all the…you have to look through all the documents and it's like...

REP. LUISTRO. Which documents, Ma'am?

MS. JUMAMIL-MERCADO. Everything that goes through the bidding process. I am not part of the bidding process itself, but I, on…on the time that I was appointed, I was the one tasked to form the structure of the…whose Chair for BAC I, BAC II. So, I spoke to all the people which, I know, I will have comfort to chair specific committees…specific BAC. But the process of bidding, I'm not part of it because you have to maintain your…your…you have to make sure that you're not in mesh with the...the process itself, but you're just reviewing to make sure that the...the Vice President's Secretary is protected with everything that I signed, because it's a delegated function. She's supposed…

REP. LUISTRO. In other words…

MS. JUMAMIL-MERCADO. …she's supposed to be the HOPE.

REP. LUISTRO. In other words, Ma'am, you're the person who checked all the documents coming from BAC before the Vice President signs or approves?

MS. JUMAMIL-MERCADO. No, I signed because I'm…

REP. LUISTRO. You signed for the...

MS. JUMAMIL-MERCADO. I have to sign because I'm the one…the HOPE signs. It's delegated to me already.

REP. LUISTRO. And you will agree with me if I would say na you consider it difficult because it concerns matter about procurement and bidding…

MS. JUMAMIL-MERCADO. Yes.

REP. LUISTRO. …where there are a lot of issues surrounding sometimes…

MS. JUMAMIL-MERCADO. And it's just…

REP. LUISTRO. …issues about bribery and corruption. You agree with me?

MS. JUMAMIL-MERCADO. Yes, Your…Mr. Chair.

REP. LUISTRO. And what do you think is the reason kung bakit iyong envelope nag-start lang during your appointment as HOPE?

MS. JUMAMIL-MERCADO. I think it's…

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REP. LUISTRO. Bakit po walang...

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REP. LUISTRO. (Continuing)...Bakit po walang envelope noong HR pa lang kayo, tapos biglang nagka-envelope noong naging HOPE kayo?

MS. JUMAMIL-MERCADO. I think it's... it's like an allowance maybe for an extra work because sometimes I have to stay until midnight to look at the documents when... Sometimes there's... I have one...

REP. LUISTRO. If that is just an allowance, Ma'am, then the rest of the officials of DEPED should be receiving also their respective envelopes. Do you think so? Don't you think so, Ma'am? If that is just an allowance, then the rest of the officers of DEPED should have their own envelopes as well.

MS. JUMAMIL-MERCADO. Mr. Chair, that's precisely the reason why I did not open any of it because that was...

REP. LUISTRO. I understand.

MS. JUMAMIL-MERCADO. ...very uncomfortable on my part.

REP. LUISTRO. I understand. And that leads me to the next question, Ma'am. Why were you uncomfortable with the envelope when you believed that that is just an allowance?

MS. JUMAMIL-MERCADO. Because, Ma'am, I'm 40 years... Your... Mr. Chair, I'm 40 years in government. The only time I have an Ombudsman case is when I... when I advised my principal not to sign an importation—when I was the Deputy Cabinet Secretary—and I advised my principal not to sign an importation because there was no rice crisis. That's my only Ombudsman. I have to protect that name. I... self-made po kami. I come from Samar. I was a scholar since I was Grade 1 until I took my PhD. So, I have all reasons to protect my name, Your Honor. And it's... I'm in the home stretch of my career, and then I'm being thrown into that position which I have no control because I am only studying it. So, that's... that's my...

REP. LUISTRO. Ma'am, I wish to remind you of the terminologies which you mentioned already, with all due respect po sa inyo, 'no, because I want to elicit this information from you. Kanina po sabi ninyo, the position, the job of HOPE is very difficult, do you confirm?

MS. JUMAMIL-MERCADO. Yes, Ma'am.

REP. LUISTRO. Yes. And you did not open the envelope because you feel so uncomfortable. Do you confirm?

MS. JUMAMIL-MERCADO. Yes, Ma'am.

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REP. LUISTRO. And then recently you made mention na it was only once that I had this case with the Ombudsman. Do you confirm?

MS. JUMAMIL-MERCADO. Yes, Ma'am.

REP. LUISTRO. And you also made mention that you wish to protect yourself. Do you confirm?

MS. JUMAMIL-MERCADO. Yes, Your… Mr. Chair.

REP. LUISTRO. And the reason, Ma'am, is because you believe that that envelope is a bribe. Do you agree with me?

MS. JUMAMIL-MERCADO. Uhm…

REP. LUISTRO. Because otherwise, you will not appreciate the job as difficult; you will not be uncomfortable opening what you believe is allowance; you will not be thinking about the Ombudsman case; you will not be thinking about protecting yourself. The reason why you are considering all these concerns is because you believe that the envelope is a bribe. Do you agree? Yes or no, Ma'am.

MS. JUMAMIL-MERCADO. It's kind of harsh word to use "bribe" because if…

REP. LUISTRO. Or should I say, it is a means to influence your decision being the HOPE?

MS. JUMAMIL-MERCADO. It could be.

REP. LUISTRO. You said "yes" to that?

MS. JUMAMIL-MERCADO. *(No answer.)*

REP. LUISTRO. You said it could be.

MS. JUMAMIL-MERCADO. It could be.

REP. LUISTRO. I wish to manifest, Mr. Chair, that on the story… on the narration of the resource speaker about this envelope she received and she refused to open until the same is donated from February 2023 to September 2023 is a means actually to influence the decision of our resource speaker being the one who approved all the decision of the BAC in behalf of the DEPED Secretary. Tama po ba, Ma'am?

MS. JUMAMIL-MERCADO. There was only one instance that I could recall na ano… But there was… The one spoke to me about… Well, there were… there was an instance where I have… I… I tried to let a bidding lapsed but…. But I ended up signing it because… because there was… there was a protest. I'm… I'm not comfortable discussing it.

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REP. LUISTRO. But I wish to state for the record, Mr. Chair, that with the narration of our resource speaker, she earlier manifested that she believes that those envelopes are means to influence her decision as HOPE.

Ma'am, I wish to invite your attention to paragraph 6. You mentioned in this paragraph that a certain Attorney Reynold Munsayac suggested in the presence of three DEPED officials…

MS. JUMAMIL-MERCADO. Uhm…

REP. LUISTRO. … na pag-usapan na lang ang 2022 budget para hindi masayang. However, you firmly asserted the procurement… that the procurement must be implemented and conducted in strict adherence with the rules. Do you confirm this?

MS. JUMAMIL-MERCADO. Yes, Your Honor.

REP. LUISTRO. Can you please enlighten us. Sino po iyong ibang DEPED officials present…

MS. JUMAMIL-MERCADO. Actually…

REP. LUISTRO. … during this incident?

MS. JUMAMIL-MERCADO. Actually, it was one director at two consultants…

REP. LUISTRO. Can you please state the names?

MS. JUMAMIL-MERCADO. The director was Director Resty Osias, and the consultants were Jonas Soriano and Ferdinand… Ferdinand… I forgot the family name.

REP. LUISTRO. Where did this meeting happen, Ma'am?

MS. JUMAMIL-MERCADO. It was…

REP. LUISTRO. Kanino pong opisina nangyari ito?

MS. JUMAMIL-MERCADO. It was not in DEPED. I was having lunch. There was a training ongoing in one hotel—I don't recall anymore whether it's Linden or Discovery Suites, but it's just in Ortigas area—and I was having lunch with these people, and we were discussing a project, and then that's when I was approached.

REP. LUISTRO. Does that project have something to do with the 2022 continuing fund?

MS. JUMAMIL-MERCADO. No., it was… it was different.

REP. LUISTRO. It was different.

MS. JUMAMIL-MERCADO. Yeah.

REP. LUISTRO. But that lunch was shared with these three other DEPED officials along with Attorney Munsayac?

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MS. JUMAMIL-MERCADO. No, Attorney Munsayac was not part of the lunch. I think he was... he probably came down... came out from the training. And then, that's when he joined us.

REP. LUISTRO. He joined you, and then... To whom did he direct what he said na "pag-usapan na lang natin iyong 2022, para hindi masayang." Kanino po ba niya sinasabi ito? Sa inyo o doon sa tatlong DEPED officials pa?

MS. JUMAMIL-MERCADO. It could be to me and the director because Direcor Resty was also a member of the BAC.

REP. LUISTRO. How about the two others? Are they members of the....

MS. JUMAMIL-MERCADO. No.

REP. LUISTRO. ...BAC also?

MS. JUMAMIL-MERCADO. No, they are not because the consultants were... we were discussing up DEPED Guro Program. It's an app that were... we were discussing.

REP. LUISTRO. And can you enlighten us. Ano po ba ang naging reaksiyon noong kasama nating director? Her name is Director...

MS. JUMAMIL-MERCADO. Osias.

REP. LUISTRO. Osias.

MS. JUMAMIL-MERCADO. Well, I think his reaction was that parang bakit niya sinabi iyon, eh, we're not... and may other people there...

REP. LUISTRO. I see.

MS. JUMAMIL-MERCADO. ...parang ganoon.

REP. LUISTRO. Because those two other consultants are not part of the BAC.

MS. JUMAMIL-MERCADO. Yes. Yes.

REP. LUISTRO. And did she accede to what Attorney Munsayac said?

MS. JUMAMIL-MERCADO. No, he is a very strict director as far as procurement...

REP. LUISTRO. She did not accede.

MS. JUMAMIL-MERCADO. He.

REP. LUISTRO. He did not accede.

MS. JUMAMIL-MERCADO. Yes.

REP. LUISTRO. And kayo po, you asserted that the procurement must be implemented and conducted in accordance with the law. You said that?

MS. JUMAMIL-MERCADO. Yes po.

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REP. LUISTRO. And Attorney Munsayac heard that?

MS. JUMAMIL-MERCADO. Yes po.

REP. LUISTRO. And after this incident, Ma'am, what happened?

MS. JUMAMIL-MERCADO. I left na… I left already.

REP. LUISTRO. You left. But you recalled that after some time, kayo po ay kinausap na Ms. Zuleika… ni Attorney Lopez, the Chief of Staff of Vice President Sarah. Please enlighten us. What happened during that conversation?

MS. JUMAMIL-MERCADO. I… parang a day… mga afternoon, I got a text. When I got the text… It was a familiar text because these were the same text that is sent to those who are asked to leave as well. So, when I saw it, I prepared na… I prepared what I should tell them and tell her, and I prepared that—I'm not resigning but I'm retiring because I'm already in a… at the age level where I could retire properly. And… So, I was… when I went there…

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MS. JUMAMIL-MERCADO. (Continuing)...when I went there, I was... I knew what the issue would be because the... the kind of text that I received was the same text that was received by Chris Arnuco...ASec Chris Arnuco and the others...

REP. LUISTRO. Who is Chris Arnuco, Ma'am?

MS. JUMAMIL-MERCADO. He's an ASec also that was asked to resign.

REP. LUISTRO. He was asked to resign for what reason, if you are aware?

MS. JUMAMIL-MERCADO. No, I'm not aware.

REP. LUISTRO. You are not aware?

MS. JUMAMIL-MERCADO. I... I just get to know being an HR and then I was their nanay-nanayan in DEPED. So, I get... I get to be there sounding board and their apprehensions because they are young... they are young people, they're career. So, iyong iyong... iyon iyong situation. And so when I arrived at the OVP's office in Mandaluyong, sinabi na there's this issue of teacher that is in my office and some other issues. So, kinat (*cut*) ko na lang si Usec Zuleika, sabi ko, "In my 40 years in government, I knew that I worked on thrust. So, if the principal doesn't trust me anymore, then you don't have to find reason for me to go. So, I'm ready, I'm ready to resign... ah, to retire. Here are the things that I need to do for retirement. I need to say goodbye properly to the... to the institution that I served well."

REP. LUISTRO. For the record, Ma'am, did you resign or did you retire?

MS. JUMAMIL-MERCADO. I'm being asked to resign, I did not, I retired.

REP. LUISTRO. You retired?

MS. JUMAMIL-MERCADO. I applied for retirement.

REP. LUISTRO. So, when did you retire?

MS. JUMAMIL-MERCADO. Effective November 1.

REP. LUISTRO. So, that is one month...

MS. JUMAMIL-MERCADO. No.

REP. LUISTRO. ... from the supposed date when you're supposed to retire?

MS. JUMAMIL-MERCADO. No, they don't... they don't like one month. I was actually trying to ask for December 30, but they wanted... In fact, they wanted it on that day that they spoke to me.

REP. LUISTRO. This is fourth week of October when Atty. Zuleika talked to you?

MS. JUMAMIL-MERCADO. I think third... I'm not... I'm not very sure anymore.

REP. LUISTRO. Third week of October. They want you to resign on that date?

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MS. JUMAMIL-MERCADO. On that very day.

REP. LUISTRO. On that very day. But you said…

MS. JUMAMIL-MERCADO. I'm not going to resign because I have to honor my 40 years in government, you know. What… what would I do after resigning?

REP. LUISTRO. And how did you feel when on the third week of October you are being asked to resign?

MS. JUMAMIL-MERCADO. I was so devastated because I was… I… I couldn't find the reason why I will have to go, you know.

REP. LUISTRO. What were you thinking during that time? Can you please share with us your thoughts? Ano po'ng iniisip ninyo during that time when after 40 years of being in DEPED, dedicating all your life and career in DEPED, suddenly there is Atty. Zuleika asking you to resign right then and there?

MS. JUMAMIL-MERCADO. I was very sad. I spoke to… but it wasn't a surprise, Your Honor, Mr. Chair, because there were six people before me that went through that process. So, I wasn't surprised. So, what I did the night before when I got the text, I already prepared myself. But I'm human and I worked very well for the past years, so I was really very devastated with what they did to me. And that's also the reason why I refused to… initially, to face this panel because I said I'm so wounded as… as a bureaucrat. So, baka ma… So, I… I just didn't… Siguro what was hurting is that, when I left, they were trying to… marami kasing press that was running after me and asking why I… I left. So, I… my children and I flew to Guam for three days just to evade the press which nandoon na rin sila sa gate namin sa village and… I think what was hurting is that, they were trying to justify my departure by saying that I was favoring certain suppliers which I…

REP. LUISTRO. You don't believe that?

MS. JUMAMIL-MERCADO. I told my kids…

REP. LUISTRO. You reject that?

MS. JUMAMIL-MERCADO. I told my kids, I can…I left DEPED with my pride, intact with integrity because I have not favored any… I don't even speak to suppliers. If there are petitions or things that has to be settled at HOPE level, I go at the middle of DEPED where it's seen by everyone and that's where I speak to the… to the suppliers.

REP. LUISTRO. Last question, Ma'am. Sasang-ayon po ba kayo if I would say na iyong pagtanggi ninyo kay Atty. Reynald Munsayac na pag-usapan na lang

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iyong 2022 continuing fund ang dahilan kung bakit kayo pinagre-resign ni Atty. Zuleika.

MS. JUMAMIL-MERCADO. That's very speculative, Ma'am.

REP. LUISTRO. From your point of view, Ma'am, it can be right, it can be wrong, but from your point of view?

MS. JUMAMIL-MERCADO. It could be.

REP. LUISTRO. It could be the reason dahil tumanggi kayo na pag-usapan ang 2022 continuing fund, posible na ito ang dahilan kung bakit kayo pinag-resign ni Atty. Zuleika. Thank you, Ma'am.

I submit, Mr. Chair.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize the presence of our Senior Deputy Speaker from the 3rd District of Pampanga, Honorable Aurelio "Dong" Gonzales, Jr.; the Honorable Cheeno Miguel Almario from Davao Oriental, 2nd District; the Honorable Margarita "Atty. Migs" Nograles, Deputy Majority Leader of PBA Party-List; and the Honorable Rodante Marcoleta from SAGIP Party-List.

Yes, Congressman Gutierrez.

REP. GUTIERREZ. Thank you, Mr. Chair.

Before I proceed the interpellation of our witnesses, I'd like to take on a point that Congresswoman Luistro just mentioned po while she was on that matter of the reasoning perhaps of the request of… I'm sorry, is it Usec or ASec Munsayac?

MS. JUMAMIL-MERCADO. ASec.

REP. GUTIERREZ. ASec Munsayac. You mentioned po kay Attorney, upon questioning of Congresswoman Luistro, that it is speculative to say that, perhaps the reasoning that… the reason you were asked to step down was because of the request which you rebuffed po 'no.

But in your Affidavit, you mentioned here that, "The timing of my meeting with Ms. Zuleika struck me as more than coincidental, it gave me the impression that my candid response to Atty. Munsayac's suggestion was the real reason behind the push to relieve me of my office." Of course, Mr. Chair, we understand the predicament that 1the good Usec. is in. It is very difficult to be forthright in times like this, with the allegations as heavy as this.

But you have to be honest with us, Madam Usec., Mr. Chair, at the time you did feel that there was a relation between the request for you to resign and your refusal to work on the procurement as asked by Atty. Munsayac?

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MS. JUMAMIL-MERCADO. No, not at that time, but… because it's… it was happening so fast, Mr. Chair. So, I…I…parang it happened so fast, events happened one at a time, there was so many things to close, I have so much things to move out from ano. So, I didn't have the time. But on a hindsight, when… when, you know, it's almost a year from now, many months already, you cannot find that reason na, ah, siguro iyon iyong events simply because I was getting information from my colleagues that they're… they're saying that I was moved by the Vice President out because I was favoring… favoring some suppliers and I… it hurt me so much because I have not spoken to any… any supplier. In fact, there was a supplier which I learned later was… was sister of our family lawyer… ah, family doctor. And I asked… I did not make a decision on that specific case, I raised it to the Office of the Vice President to make the decision just to make sure that there's no… there's no doubt on your decision for certain suppliers. So, I made a confidential memorandum to the President… ah, to the Vice President, saying that their allegations of bribe… bribe in the specific case, "So, I'm raising it to you to validate the issues." So, siya iyong nag… gumawa ng decision.

REP. GUTIERREZ. So, at that point, you would say that you feel then the reason that you are asked to stepdown was because of the allegations of favoring?

MS. JUMAMIL-MERCADO. No, no, not at that time. I… I think they used it only when I left na, when I left na because they have to justify why I have to leave, you know. Parang masyadong…the reason that was given was a little shallow.

REP. GUTIERREZ. Okay. So, you believe that the reasoning that you are favoring supplier is shallow and belated. It was something that they were grasping at at a latter time…

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REP. GUTIERREZ. (Continuing)…latter time.

So, right now, when we ask you, what did you feel is the reason for Atty. Munsayac to ask you…for Ms. Zuleika to ask you to step down?

MS. JUMAMIL-MERCADO. I think it's, I would believe that it's really the work on the procurement side.

REP. GUTIERREZ. So, tama po iyong sinabi ni Cong. Jinky. She was hinting at that. You just had difficulty saying it.

MS. JUMAMIL-MERCADO. Yeah, on a hindsight. Yes.

REP. GUTIERREZ. In hindsight. And you stand by your Affidavit now when you say that it seemed as more than coincidental po, ano, that the conversation of your resignation came right after your rebuffing of the, I wouldn't say advances, but the suggestion that you do not intervene with your duties in procurement.

MS. JUMAMIL-MERCADO. Yes.

REP. GUTIERREZ. Okay. I just wanted to take up from that point, 'no, from Congressman Luistro. But…So, I'll start now over from your Affidavit as a whole. Of course, these are very heavy accusations. This is a very heavy narration. And, of course, Chairman Dan Fernandez has already given some insight as to your background. So, it really gives us some credibility, an idea of who you are and why you would come out to say this.

So, with that, we'd just like to verify, of course. I know some of these questions were already asked prior, but we'd like to really test the narration.

So, Madam Usec, Mr. Chairman, you mentioned that, at least, two or three times po, you signed the checks. And this was for the amounts of 37 million 500 thousand. And you're sure that this is sourced from the confidential fund. How do we know po that this is…

MS. JUMAMIL-MERCADO. No, I'm not. I signed checks.

REP. GUTIERREZ. The checks.

MS. JUMAMIL-MERCADO. Because when you sign checks, there's a document… there's a paper naman that says where the…what fund it is.

REP. GUTIERREZ. And you mentioned that you are one of the cosignees.

MS. JUMAMIL-MERCADO. But only for checks.

REP. GUTIERREZ. For the checks.

MS. JUMAMIL-MERCADO. We have no idea what…how the confidential fund is used.

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REP. GUTIERREZ. Of course. Yes. I'm limiting my questions purely to the checks since it's that which you have personal knowledge.

MS. JUMAMIL-MERCADO. Yes. Yes.

REP. GUTIERREZ. So, you mentioned here that you signed checks related to the confidential fund. And there were documents to prove that this is in relation to the confidential fund.

MS. JUMAMIL-MERCADO. Yes.

REP. GUTIERREZ. Who else were your cosigners po in the check?

MS. JUMAMIL-MERCADO. Usec Ann.

REP. GUTIERREZ. Usec Ann is here. She is present.

May we ask si... Chair, we are free to ask the other resource persons po naman, ano, as is...

THE CHAIRPERSON. Yes.

REP. GUTIERREZ. ...as in an inquiry in aid of legislation.

THE CHAIRPERSON. Yes.

REP. GUTIERREZ. Okay.

THE CHAIRPERSON. Please continue.

REP. GUTIERREZ. May we ask Usec Sevilla. You were mentioned in this Affidavit. Do you confirm that you signed these checks together with Usec Mercado?

MS. ANNALYN M. SEVILLA (Undersecretary, Finance Service, Project Management Service, Education Program Management Service, Government Assistance and Subsidies Office). Mr. Chair.

THE CHAIRPERSON. Usec...

MS. SEVILLA. Sevilla.

THE CHAIRPERSON. ...Sevilla, you are recognized.

MS. SEVILLA. Thank you, Mr. Chair.

Yes, Your Honor. As part of my work as the Undersecretary for Finance, I do the ministerial task of processing and releasing payments. And for a check to be released, there should be two signatories. And in the designation of authorities to sign checks, all undersecretaries are authorized to do the signing of the checks. And there's a limit also, Your Honor. For example, until 10 million, that's the director level. 10 million and up, it's now the undersecretary. So, po in the...in the case of the confidential fund, when it was processed and released, there are two signatories, and I confirm that one is mine and the other is Usec Gloria Mercado.

REP. GUTIERREZ. Thank you, Mr. Chair.

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So, we have confirmation of that narration, that part of the Affidavit, na cosignee po… cosigner si Usec Sevilla.

Usec Sevilla, can you confirm to us how many checks po kaya ito? Just to help refresh the memory of Usec. Marcoleta…Usec. Mercado.

MS. SEVILLA. There were three. Your Honor, Mr. Chair, there were three checks that were issued per quarter. I'm getting the details, Your Honor, from our accountant who is also present. They're the ones preparing the checks, but I don't have the exact details. But I remember that the release is done per quarter. And 150 million that was appropriated for 2023 divided by four quarters is 37.5 million. So, there were three 37.5 million per quarter that were issued as checks.

REP. GUTIERREZ. Okay. So, we now have confirmation that tama naman po iyong narration ni Usec Mercado. Two to three checks, now we have confirmation it's three. So the total amount that she is attesting to have been signed out…signed off for is 112 million 500 thousand. Would that be a fair statement, Usec. Sevilla?

MS. SEVILLA. Mr. Chair, I confirm that the total of 37.5 million checks is 112.5 million.

REP. GUTIERREZ. Thank you.

Usec. Mercado, you mentioned po in your Affidavit in paragraph number four that you received a total of nine envelopes. Of course, now we understand that you had apprehensions and that you had some difficulty accepting it. And we'll come back to that na lang po. But you mentioned here that a certain ASec, the HEA at the time, si Ms. Fajarda. Is she here today? She's not here. So, si ASec Fajarda, is she still in the office of the OVP, DEPED? Would you have… She's with the OVP right now. Okay.

And you mentioned that she would give you the envelopes. Would you recall if the…and the envelopes had the marking "HOPE" po, 'no?

MS. JUMAMIL-MERCADO. Yes. Yes, Mr. Chair.

REP. GUTIERREZ. It was labeled as "HOPE". Was this typewritten? Was this printed?

MS. JUMAMIL-MERCADO. No, it's written.

REP. GUTIERREZ. Written. Would this handwriting be familiar?

MS. JUMAMIL-MERCADO. I'm still keeping those envelopes.

REP. GUTIERREZ. Oh, you still have the envelopes. Mr. Chair, may we request, perhaps, that these envelopes be produced as object evidence for this Committee? So, perhaps in a…

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THE CHAIRPERSON. The envelope, I think, was already…the content of the envelope was already donated.

MS. JUMAMIL-MERCADO. Yes.

THE CHAIRPERSON. But with respect to the envelope, you still have it in your possession, tama po ba?

MS. JUMAMIL-MERCADO. It's…It's in my home.

THE CHAIRPERSON. Okay. So may we request Usec. Mercado to please... Dala po ba ninyo ngayon?

MS. JUMAMIL-MERCADO. Hindi po.

THE CHAIRPERSON. Hindi. So, siguro in the next scheduled hearing, may we request na pakidala po ninyo para maiano po namin.

MS. JUMAMIL-MERCADO. Mayroon pang next schedule?

THE CHAIRPERSON. Ma'am, pakilapit lang po ninyo iyong microphone para medyo clear at maliwanag po.

Thank you po. So, please continue. Please proceed.

REP. GUTIERREZ. Thank you, Mr. Chair.

I think that would be very helpful and we'd really appreciate if you could produce that. That would be object evidence po if talagang handwritten po iyan, and if we're able to prove kung kaninong handwriting. This would just serve to verify po, 'no, the veracity of your narration.

So, mayroon pong envelopes that were labeled "HOPE". They were not labeled "Ms. Mercado." They were not labeled "Ma'am… Gloria po ba. Is that how you go? What is the name that you go by po for people familiar with you?

MS. JUMAMIL-MERCADO. Glo.

REP. GUTIERREZ. Glo. So it didn't say dearest Glo. It didn't say Usec. Mercado.

MS. JUMAMIL-MERCADO. Just "HOPE".

REP. GUTIERREZ. Just "HOPE". Just "HOPE". Okay. I'll come back to that po at a later time.

Going back po to the lunch of... You had the lunch according to paragraph 6 po 'no. You substantiated that your lunch was in Discovery Primea po ba?

MS. JUMAMIL-MERCADO. I don't recall anymore whether it's Linden or Discovery, but just within those hotels.

REP. GUTIERREZ. And you had that lunch with two other colleagues and then si Attorney...

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MS. JUMAMIL-MERCADO. Three.

REP. GUTIERREZ. Three colleagues.

MS. JUMAMIL-MERCADO. Yeah. One of my directors, Atty. Resty Osias, and two consultants.

REP. GUTIERREZ. Two consultants. And then si Atty. Munsayac joined you...

MS. JUMAMIL-MERCADO. Joined us.

REP. GUTIERREZ. ...at a latter time.

Mr. Chair, may we ask si Atty. Munsayac. Good afternoon po, Sir. Sir, ano po iyong position niyo at that time? You were Usec?

MR. MUNSAYAC. Good afternoon, Sir, Your Honor.

THE CHAIRPERSON. Atty Munsayac, you are recognized by the Chair.

MR. MUNSAYAC. Thank you, Mr. Chair, Your Honors.

During that time, I was new at DEPED as Assistant Secretary for Procurement.

REP. GUTIERREZ. Ah, you were an ASec for Procurement. Okay.

MR. MUNSAYAC. Yes, Your Honor.

REP. GUTIERREZ. And at that time, would you confirm that you were at a training? Do you recall the narration of this lunch that Ms...that Usec Mercado has laid out?

MR. MUNSAYAC. Yes, Your Honor. The very good thing about this is I kept all our conversations. And it would debunk the timeline being narrated by ASec...Usec Glo Mercado here, especially about the reason she was supposedly removed by the appointing authority. And I remember that lunch. Your Honor, can I provide context for the narration?

REP. GUTIERREZ. Hopefully, Mr. Chair, may I just clarify? My question is about the lunch po, ano.

MR. MUNSAYAC. Yes.

REP. GUTIERREZ. Iyong whether or not the reason for the removal or whatever.

MR. MUNSAYAC. Yes.

REP. GUTIERREZ. We will...we would like to hear that, but, Sir, perhaps at a latter time...

MR. MUNSAYAC. Yes, Sir.

REP. GUTIERREZ. ...after interpellation by other Members.

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MR. MUNSAYAC. Yes, Sir.

REP. GUTIERREZ. But my interpellation is purely on the lunch, if you could qualify the context po na lang.

MR. MUNSAYAC. I remember the lunch. It was a training conducted at Linden Suites regarding procurement. It was the time that... Because when the first bidding, 2022 bidding was conducted, the bid opening, I was not yet an employee of DEPED. So, it was conducted, I think, August. I joined DEPED at October 1. But when I was there, I saw that all the bidders...

THE CHAIRPERSON. Excuse me. Excuse me. Can I...puwede po ba puputulin ko po muna.

MR. MUNSAYAC. Yes, Your Honor.

THE CHAIRPERSON. Attorney, nag-take ka na po ba ng oath?

MR. MUNSAYAC. Opo.

THE CHAIRPERSON. Nag-take oath kanina kasama ng mga iba pang resource persons. Okay. Attorney Poa, nag-take na rin po ba kayo ng oath?

MR. POA. Yes, Mr. Chair, kanina po.

THE CHAIRPERSON. Okay. So, please continue.

MR. MUNSAYAC. So, naalala ko po iyan. Noong pumasok po ako, nakita ko po iyong sa original bidding ng 2022, halos lahat ng bidders, eh, nadi-disqualify na. At iyang 2022 funds magla-lapse na iyan end of 2023. So, nakita ko ho iyan na nagpo-post qualification pa sila. Nandoon ho si Usec Glo Mer, kasama ho si Resty Osias. Hindi ko ho kilala....

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MR. MUNSAYAC. (Continuing)…hindi ko ho kilala iyong dalawa, 'no. So, una ho, wala akong dahilan o interest, o inklinasyon *(inclination)* na magbigay ng isang illegal na order sa isang publikong lugar na may mga tao na hindi ko man lang kilala. Ang naalaala ko po diyan, si Resty po ang kausap ko. Sabi ko, ano ang plano niyo diyan? Kasi kung itutuloy niyo iyong post-qualification at magla-lapse iyan, hindi na aabot iyan sa December 2023. So, mag-decide na kayo kung ire-rebid niyo iyan. Kasi, kung ire-rebid niyo iyan, hindi masasayang iyong pondo, mayu-utilize pa iyan bago mag-end iyong 2023. Iyan po iyong mismong sinabi ko. Kung baga, pinag-de-decide ko na ho sila kung itutuloy pa rin iyong post-qual nila na sobrang…na-DQ na lahat noong mga bidder or magre-rebid na sila. Kasi tapos na naman iyong period for post-qualification at malapit na ring mag-lapse iyong 90-day maximum period for procurement. So, parang sinabi ko, mag-decide na kayo kung ire-rebid niyo iyan. Kasi kung ire-rebid niyo iyan, aabot pa iyan, hindi masasayang iyong 2022 funds. So, I remembered that, Your Honor.

Ang tanong ko lang ho, ba't naman ho ako mag-uutos ng illegal sa isang Usec na Head of Procuring Entity na may mga kasamang tao na hindi ko man lang kilala?

REP. GUTIERREZ. Thank you for the clarification po.

REP. SUAREZ. Can I just interject?

Thank you very much, Congressman Gutierrez.

THE CHAIRPERSON. Yes, Deputy Speaker.

REP. SUAREZ. Mr. Chair, I just would like to fix my timeline on my notes. At that time po, Atty. Munsayac, ano pong position ang hawak ninyo?

MR. MUNSAYAC. Assistant Secretary for Procurement po ako.

REP. SUAREZ. Ah, so, ASec na po kayo at that time.

MR. MUNSAYAC. ASec lang po ako.

REP. SUAREZ. Kailan po kayo na-appoint na ASec?

MR. MUNSAYAC. Nag-assume po ako October 1, Mr. Chair, Your Honor, October 1, 2023.

REP. SUAREZ. October 1?

MR. MUNSAYAC. 2023 po.

REP. SUAREZ. 2023. So, head kayo ng Procurement?

MR. MUNSAYAC. Ah, hindi po, may boss po ako na Usec. for Procurement.

REP. SUAREZ. Okay. So, but when you assume your position as ASec, you're appointed as ASec, 'no. Correct?

MR. MUNSAYAC. Opo. Opo, Mr. Chair.

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REP. SUAREZ. You were ASec for what?

MR. MUNSAYAC. Procurement po.

REP. SUAREZ. Ah, so, for Procurement.

Okay. Thank you very much. I just wanted to clarify that. Thank you.

My apologies to Congressman Gutierrez.

THE CHAIRPERSON. Please continue, Congressman Gutierrez.

REP. GUTIERREZ. Thank you, Mr. Chair. Thank you, DS Suarez.

So, Usec, just to take off from there, also, to get in line with...

REP. AMPARO MARIA J. ZAMORA. Mr. Chair, sorry.

REP. GUTIERREZ. I yield to my colleague.

THE CHAIRPERSON. Congressman Amparo Zamora.

REP. A. M. J. ZAMORA. Mr. Chair, may I just clarify kung kailan eksakto iyong lunch nangyari, Sir?

MR. MUNSAYAC. Hindi ko na ho maalala kasi…

THE CHAIRPERSON. Kanino po ninyo ina-address iyong tanong ninyo?

REP. A. M. J. ZAMORA. Kay Atty. Munsayac po, Mr. Chair.

THE CHAIRPERSON. Atty. Munsayac, please respond.

MR. MUNSAYAC. Your Honor, Mr. Chair, hindi ko na ho maalaala iyong actual lunch. Pero ang maganda po kasi dito, na-save ko ho iyong mga conversation namin ni Usec. Glo. So…

REP. A. M. J. ZAMORA. Alright. So, what month—Ah, sorry, with the indulgence of Congressman Rodge, I'll just take, like, five seconds. What month was this, Atty. Munsayac, Mr. Chair?

THE CHAIRPERSON. Please continue, Atty. Munsayac.

MR. MUNSAYAC. Your Honor, I have to check on my records. Pero alam ko ho, bago pa lang ho ako sa DEPED niyan, siguro baka October lang din po iyan.

THE CHAIRPERSON. Anong year po?

REP. A. M. J. ZAMORA. Saan po?

THE CHAIRPERSON. Anong year?

MR. MUNSAYAC. 2023 po, Your Honor.

THE CHAIRPERSON. 2023, okay.

REP. A. M. J. ZAMORA. Kanina, si Ma'am Gloria, si Ma'am Gloria…Ma'am, kailan niyo po sinabi…when did the lunch occur?

THE CHAIRPERSON. Usec. Mercado.

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MS. JUMAMIL-MERCADO. I wasn't also very specific, because I could not recall the exact date, but it should be October.

REP. A. M. J. ZAMORA. Alright, Mr. Chair, thank you.

THE CHAIRPERSON. Thank you.

Yes, please continue, Congressman Rodge Gutierrez.

REP. GUTIERREZ. Thank you, Mr. Chair.

Just in line po with the...before we go back to the substance of the lunch itself, just for the timeline. So, prior to the October 1 appointment to ASec. for Procurement, ano po iyong position po ninyo, Usec…ah, ASec?

MR. MUNSAYAC. Your Honor, Mr. Chair, I was Spokesperson for the Office of the Vice President during that time before I assumed office at DEPED.

REP. GUTIERREZ. Since when po iyong appointment po in the OVP?

MR. MUNSAYAC. Nagsimula po ako sa OVP when the Vice President assumed position.

REP. GUTIERREZ. Given that the OVP was concurrent Secretary with the DEPED, would you say you are familiar with the members of the DEPED even prior to your assumption on October 1?

MR. MUNSAYAC. Ironically, Your Honor, kagaya po nang sinabi ni Usec. Glo Mer, iyong mga tao po sa DEPED, hindi po sila iyong mga taong dating nakasama na ni Vice President Sara sa trabaho. Nag-create po talaga ng selection panel, tiningnan iyong merits, tiningnan iyong credentials, so hindi ko pa ho sila kilala. Ang ironic po, ang medyo kilala ko po talaga si Usec. Glo Mer, Usec. Glo Mer, because she is married to a fraternity brother in UP.

REP. GUTIERREZ. So, Mr. Chair, so, your statement earlier is that you are not familiar with the processes of procurement, at least, because you just entered as ASec October 1, but you are familiar with Usec. Glo.

MR. MUNSAYAC. Your Honor, I'm a little bit familiar with the procurement process because I used to be head of a government agency, so I oversaw everything in the procurement process.

REP. GUTIERREZ. So, just not familiar with this particular case…

MR. MUNSAYAC. Yes, Your Honor. Because when I joined, the first bid opening was already conducted.

REP. GUTIERREZ. I see. So, if that were the case po, 'no, going back then—thank you for the clarification of the timeline—going back to the lunch, you do admit to

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having discussed about procurement issues. It's just you deny that it was an illegal order.

MR. MUNSAYAC. Yes, Your Honor. Bakit ko naman po sasabihing "Pag-usapan na lang natin ito, ha", sa harap ng maraming tao, sa harap ng DEPED officials? Parang ang sinasabi ko doon, mag-decide na kayo kung ire-rebid niyo iyan or itutuloy niyo iyong post-qua. Kasi, kung ire-rebid niyo iyan, aabot pa iyan at mayu-utilize iyan before the year ends. Bakit ko naman po mag-uutos ng illegal?

And, Your Honor, can I elaborate on the timeline? Just to show that what Usec. Glo Mer said earlier about the reason for her removal is because…

REP. SUAREZ. Point of order, Mr. Chair.

REP. KHONGHUN. Go ahead, DS Jay-Jay.

REP. SUAREZ. Yeah. Mr. Chair, I think, with all due respect, to the resource person…

MR. MUNSAYAC. I apologize, Your Honor.

REP. SUAREZ. No, no, nothing to apologize for. I just want to make sure that we're giving proper direction to the questions of Congressman Gutierrez. So, if the resource persons would be reminded, let's stick na lang to answering the questions as they were, and then, you'll have your chance naman later on to also expound on certain events and certain timelines that you'd want to explain.

Thank you very much, Mr. Chair.

REP. KHONGHUN. Thank you, DS Jay-Jay.

Kindly continue, Cong. Rodge.

REP. GUTIERREZ. Thank you, Chairman Khonghun.

So, yes, I do agree with DS Suarez, as much as we want to hear the timeline, perhaps, at a latter time. I'll just pursue my line of questioning.

MR. MUNSAYAC. Yes, Your Honor.

REP. GUTIERREZ. I'm sure other or some of my other colleagues would like to pursue po iyong timeline noong resignation.

MR. MUNSAYAC. Yes, Your Honor, Mr. Chair.

REP. GUTIERREZ. But for the purpose of my interpellation, I'm satisfied with the answer of Usec. Mercado, that as to her hunch as the reasons which she was asked to resign, and as to the timing of which, given the lunch that happened in the Linden Suites, 'no.

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I just have one more question lang po siguro, and then, I'm going back now in relation to the envelopes that were labeled HOPE.

You were being questioned po earlier, Usec, Mr. Chair, that...about your interpretation of what it meant when you were being receiving these envelopes. And you mentioned in your...you narrated in your Affidavit, that the envelopes were handed to me monthly by Assistant Secretary Sunshine Fajarda, Sunshine, which she says came directly from the Office of Vice President Sara Duterte. And you mentioned, you quoted, "Galing kay VP", is what she would typically say, as she hands the envelopes. What is your appreciation of that statement? Ano po iyong ibig sabihin ng "Galing kay VP"?

MS. JUMAMIL-MERCADO. Mr. Chair, as I mentioned earlier, it's...for me, it's...kasi, mayroon naman siyang...ang appreciation ko, the VP naman has other resources to share. So, ganoon lang ka-simplistic iyong tingin ko at first. It was only when I moved out already that I gave it a harder thought.

REP. GUTIERREZ. Of course, I mean, this is just testing to your personal...to personal knowledge. We have no idea; we have no clue kung talagang galing kay VP po iyon. All that happens is that, it is accompanied by that statement by ASec. Sunshine. Correct?

MS. JUMAMIL-MERCADO. Siguro kaya mo nali-link doon kasi si ASec. Sunshine iyong nagbibigay.

REP. GUTIERREZ. Because she was HEA at that time.

MS. JUMAMIL-MERCADO. Yeah.

REP. GUTIERREZ. So, you would assume from the HEA's closeness, proximity of both personal relation and by office, that she would have no reason to lie...

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REP. GUTIERREZ. (Continuing)...to lie as to the...

MS. JUMAMIL-MERCADO. Yeah.

REP. GUITTEREZ. ...as to the source of that fund 'pag nanggaling kay VP. But you're right—it could be a valid source, it could be not. But I noticed during the interpellation of Congresswoman Luistro, you really had an apprehension. You said that bribery was too harsh a word. Could you expound on that thought?

MS. JUMAMIL-MERCADO. I think it's...it's just not in my language to say it's bribery because I have not experienced it.

REP. GUTIERREZ. And I would tend to agree, Mr. Chair, because, generally, when you speak of bribery, it's when you are offered a gift, offered a compensation to entice you to do or not to do something that's within your duty. However, that's just the more general term of bribery po, 'no. But we also have the other—we also have indirect bribery. And that's in the case when a person is offered a gift by...not for any act to do or not to do, but my mere virtue of your public office. Would that be closer to what you were feeling at the time? Because there was no conversation. Walang sinabi naman po na itong envelope, "gawin mo ito, huwag mong gawin ito."

MS. JUMAMIL-MERCADO. Eh, wala namang...

REP. GUTIERREZ. But it was simply by virtue of your position. The envelope says it all—HOPE.

MS. JUMAMIL-MERCADO. Yes, yes.

REP. GUTIERREZ. And more colloquially, kilala ang indirect bribery as payola. Did you have an inclination na ito ay payola?

MS. JUMAMIL-MERCADO. No.

REP. GUTIERREZ. So, you said yes to indirect bribery, but no to payola. Would you care to explain?

MS. JUMAMIL-MERCADO. It's a...those are words that are not in my vocabulary, so if you excuse me.

REP. GUTIERREZ. Of course, I will not belabor po, 'no, and I have a respect for whatever semantics you choose to prove. But I'm just giving that basis on the envelope only saying "HOPE" and there was no gift or compensation to ask of what to do and what not to do, but it is merely by virtue of your position. It would appear that you're receiving this.

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One last question po on that. Would you know if other employees of DEPED received the same envelope and would you know ano po iyong nakasulat sa mga envelope po nila?

MS. JUMAMIL-MERCADO. No. I would know one but the rest I don't know.

REP. GUTIERREZ. You know of one more. Would you be at liberty to divulge...

MS. JUMAMIL-MERCADO. No.

REP. GUTIERREZ. ...not the, not the identifying marks but at least iyong level, iyong position po niya. Was it the Usec level, ASec level?

MS. JUMAMIL-MERCADO. ASec level.

REP. GUTIERREZ. ASec level. So, there would be confirmation of more than just the HOPE. Would you know kung ano po iyong nakasulat sa envelope na iyon?

MS. JUMAMIL-MERCADO. No.

REP. GUTIERREZ. None.

MS. JUMAMIL-MERCADO. No, we don't get to see because we're called one by one.

REP. GUTIERREZ. Well, Mr. Chair, I'd like to thank the good Usec for this...for her narration of the Affidavit here and being forthright. I'd like to just reiterate our hope that the envelopes would be produced as object evidence for us to discuss, and I'll be yielding to other interpellators who might wish to question.

Thank you very much, Usec...

THE CHAIRPERSON. Thank you po.

REP. GUTIERREZ. ...Mercado, and thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you po.

The Chair would like to recognize the next interpellator, the Honorable Johnny Pimentel, Vice Chairman.

REP. JOHNNY TY PIMENTEL. Thank you, Mr. Chair.

Mr. Chair, I would like to discuss the matter regarding the Audit Observation Memorandum issued by COA to DEPED. I have in my possession copies of two AOM—one dated February 1, 2024; another dated August 8, 2024.

Now, the AOM was sent to certain Mr. Edwardo Fajarda and this was received by Sunshine Fajarda on August 9, 2024. The other AOM, again, was sent to Edward Fajardo...Fajarda, and it was received by Lomilyn(?) Manalo on February 2, 2024. May I inquire from the ComSec if this Mr. Edward Fajarda is present?

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THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honor, Mr. Edward Fajarda was included in the invitees, but he is not present today.

REP. PIMENTEL. Mr. Chair, it is very important that the presence of Mr. Fajarda, kailangan po natin sa Komitiba na ito because Mr. Fajarda, for the information of everyone, is the Special Disbursing Officer, and this person is the one who made the cash advance of 75 million pesos, and this is also the person that liquidated the said amount. So, in order that this matter be given enlightenment, we need to hear the side of Mr. Fajarda.

So, in this case, Mr. Chair, in accordance with our rules, due to the non-appearance of Mr. Fajarda, I move to issue a show cause order to Mr. Fajarda for him to be compelled to be present during the next hearing.

REP. SUAREZ. Second.

VOICE. Seconded.

THE CHAIRPERSON. Is there any...

REP. F. A. DY. Second, Mr. Chair.

REP. LUISTRO. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. PIMENTEL. Also, Mr. Chair, they have submitted, as part of their liquidation, several certifications coming from military authorities. We also need to invite these persons so that they can explain to us or to this Committee for these certifications—one is Colonel Manaros Buransing, Philippine Army; the other one is Lieutenant Colonel Magtanggol Panopio of the Philippine Army; the other one is Major General Adonis Bajao—which I will explain later on why their presence is badly needed or very important in this Committee.

Since Mr. Fajarda is not around and I'd like to ask questions regarding this AOM, I'll now direct my questions to the COA, since it was signed by Ms. Nilda Plaras, the Assistant Commissioner, Officer-in-Charge. I believe that she is the one in charge in the liquidation of the intelligence funds being disbursed to the different agencies. May tanong po ako sa COA and I would like to know who could answer? Ito ba ay...totoo ba itong AOM na pinadala ninyo, dalawang AOM ito—February 2 at saka August 9 of the same year?

THE CHAIRPERSON. Who will respond? Atty. Gloria, please respond.

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MS. CAMORA. Mr. Chair, iyong isa po ay February 1, 2024 and iyong isa po ay August 8, 2024.

REP. PIMENTEL. Ang tanong ko po, Attorney...

MS. CAMORA. Ah, received po pala ng August 9.

REP. PIMENTEL. Yes. Ang tanong ko po, Attorney, ito ba ay same subject matter o different AOMs itong pinadala ninyo?

MS. CAMORA. Magkaiba po sila, Mr. Chair. Iyong isa po ang covered na period ay July 12 to September 29 of 2023, and iyong isa po ay February 22, June 29 of 2023.

REP. PIMENTEL. But this pertains also to the same cash advance of 35 million pesos. Dalawang tseke po iyon—isang 37...rather 37.5 million; and then isang tseke na naman, 37.5 million. Ito iyong sa first AOM, hindi ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. PIMENTEL. Okay. Itong sa pangalawang AOM, ano ba ito?

MS. CAMORA. 37.5 million din, Mr. Chair. It is for confidential fund po ng July to September 29.

REP. PIMENTEL. So, magkano na ang total natin lahat—112 million or magkano ang total? So, in short, para lang...

MS. CAMORA. One hundred...

REP. PIMENTEL. ...maliwanagan tayo, ano, so, iyong February 1, dalawang 37.5 million, 'di po ba? Iyong August 9 or August 8, isang 37.5 million. So, nagto-total na po siya ng 107.5 million. Ganoon po ba?

MS. CAMORA. One hundred twelve.

REP. PIMENTEL. No, again, balik tayo sa arithmetic natin. Iyong first na AOM niyo, dalawang 37.5. Ang tanong ko, kasi walang nakalagay dito sa pangalawang AOM, magkano ang kinash *(cash)* advance dito noong August?

MS. CAMORA. Sa pangalawang AM, Mr. Chair, 37.5 million po.

REP. PIMENTEL. So, 70 million plus 37.5 million, if my computation is right, totals 107.5 million, hindi po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. PIMENTEL. Eh, pero sa inyong report, ang total na na-cash advance...

(MS. ELISA P. DELOSO TOOK OVER)

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REP. PIMENTEL. (Continuing)... na-cash advance is 112.5 million pesos. So, may kulang na 5 million pesos iyong... So, ibig bang sabihin iyong 5 million pesos na balance ay walang AOM iyon?

MS. CAMORA. Mr. Chair, one, one, two, five hundred po ang total.

REP. PIMENTEL. Magkano?

MS. CAMORA. One hundred twelve point five million.

REP. PIMENTEL. Kaya nga, pero kinompyut *(compute)* na natin iyong dalawang AOM, eh. So, it totals only 107.5 million. Saan iyong kulang na 5 million? May AOM din ba iyon o wala?

MS. CAMORA. Mr. Chair, ang 37.5 million times three po ay 112.5.

REP. PIMENTEL. Hindi tayo magtutugma. Ulitin ko po. Mayroon ho ka ba... kayong copy? You know, Attorney, this is a Committee hearing. I think next time, you should come here prepared; you should do your homework—no offense meant—pero para maliwanagan po tayo. Dalawa ho ang AOM ninyo. Uulitin ko po. Iyong isang AOM ninyo is 70 million pesos. Iyong pangalawang AOM, sabi ninyo 37.5. But the total cash advances as per your support is 112.5 million pesos, may kulang na 5 million pesos. So, ano ba iyong ibig sabihin ninyo doon sa report ninyo? Iyong 5 million pesos, walang AOM iyon? Wala, eh.

MS. CAMORA. Mr. Chair, iyong AOM po, ang total noong first is 75 million.

REP. PIMENTEL. Ah, correct. I stand corrected, 75 million pesos pala. Okay.

Now, para maintindihan ng mga nanonood, ng mga tao dito na simpleng kababayan lang po natin, ano ba ang ibig sabihin ng Audit Observation Memorandum?

Ako na lang muna. Tell me if I'm correct or if I'm wrong. Ang Audit Observation Memorandum inilisyu *(issue)* po iyan ng COA dahil may nakita silang hindi sang-ayon sa NGAS, hindi po ba? Sa... may tinatawag tayong "NGAS" sa COA, iyong government accounting procedure or something. In short, it does not conform to the normal transactions. Every agency has an auditor, hindi po ba? Ngayon, ang COA ay post-audit po kayo. Wala na po tayong pre-audit. Matagal na hong wala tayong pre-audit. Pagkatapos ng transaction—kumpleto po iyon, disbursement vouchers, lahat, tseke *(check)*—pino-post-audit po iyon. If you something... if you see something is wrong with the transaction, kung makita ninyong may red flag, hindi po ba, nag-i-issue kayo ng AOM?

MS. CAMORA. Tama po, Mr. Chair.

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REP. PIMENTEL. Okay. After the issuance of AOM, kaya po natin ini-issue iyong AOM, so that the agency concerned with regards to the transaction is given the opportunity na sagutin, hindi po ba? Kaya ang sinasabi ninyo, "Ito ang nakita namin, mga mali po ito," binibigyan ang agency ng panahon para sumagot, hindi po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. PIMENTEL. Okay. Now, kapag sumagot sila, kapag nakita ninyong it does not conform to the normal accounting procedures of the government, kapag nakuha na ninyo iyong sagot—iyong justification nila—pero it does not satisfy the COA, nakita pa rin iyong may red flag, ano po ang sunod na hakbang?

MS. CAMORA. Mr. Chair, nag-i-issue po kami ng Notice of Suspension sa ICFAO po.

REP. PIMENTEL. Okay. Nag-issue na tayo ng Notice of Suspension. After ng Notice of Suspension ba, eh, the agency is given another opportunity to reply?

MS. CAMORA. Yes, Mr. Chair, they are given 90 days po.

REP. PIMENTEL. They are given 90 days after the nine... of the Notice of Suspension, hindi po ba?

MS. CAMORA. Tama po.

REP. PIMENTEL. Okay. Now, after 90 days, after they have submitted their justification, again, if you are still not satisfied, if you think the transaction is still illegal, nag-i-issue na po kayo ng Notice of Disallowance, hindi po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. PIMENTEL. Ano ang prescription ng Notice of Disallowance? Hindi po ba hanggang six months lang iyon?

MS. CAMORA. Six months po iyong time...from receipt iyong time nila...

REP. PIMENTEL. Time for them to...

MS. CAMORA. ... to appeal.

REP. PIMENTE. ... ask for a reconsideration, hindi po ba?

MS. CAMORA. To appeal pa lang po.

REP. PIMENTEL. To appeal, okay. Both the same—to appeal or to reconsider. If their appeal is denied, umaangat na po iyon sa Ombudsman, hindi ba, for their perusal, hindi pa ba?

MS. CAMORA. Mr. Chair, sa Supreme Court na po.

REP. PIMENTEL. Anyway, hindi pa naman tayo umaabot doon. Dito tayo sa Audit Observation Memorandum. Unahin po natin iyong 75 million pesos. This covered the period—iyong unang 37.5 million—covered the period from February 20

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to March 30, and April 30 to June 29. Now, this was addressed to Mr. Fajardo with regards to the liquidations of cash advances of Mr. Fajardo.

I want to put it on record that the two checks amounting to 75 million pesos were cash advanced or made…na-advance po ni Mr. Fajardo.

Now, sa AOM po, ang nakalagay po dito, "We noted the following deficiencies: the propriety and validity of the transaction could not be ascertained as the submitted LRs not fully supported with complete and proper documentation under Joint Circular No. 2015-01."

Ang tanong ko po dito sa unang AOM since you have already manifested in your AOM na may nakita na kayong deficiency—one is there is no document supporting the liquidation—ang tanong ko po, naka-submit na po ba sila ng liquida… non-supporting documents?

MS. CAMORA. Naka-submit po sila, Mr. Chair.

REP. PIMENTEL. Are you satisfied with their… or you're still in the process of auditing the documents or do you have already findings with regards to the documents that have been submitted? Mayroon na po ba tayong findings?

MS. CAMORA. Nag-submit na po and na-evaluate na po namin iyong compliance nila, Mr. Chair.

REP. PIMENTEL. So, pagka ngayon, wala pa po tayong findings, ini-evaluate pa po, hindi po ba?

MS. CAMORA. Mr. Chair, nakapag-issue na po kami ng credit notice.

REP. PIMENTEL. Naka-issue na kayo ng credit notice.

MS. CAMORA. Yes, Mr. Chair.

REP. PIMENTEL. With regards to the 75 million pesos?

MS. CAMORA. Yes, Mr. Chair.

REP. PIMENTEL. Na-comply ba nila itong… ito, isa, item 4.12, "requires that the disbursement from the confidential fund shall be supported, among others, in a sealed envelope." Okay na iyan.

Dito tayo sa… iyong accomplishments, iyong counterinsurgency program, payment of incentives of traveling relative to the confidential operations. Did you also issue credit notice to this?

MS. CAMORA. Mr. Chair, the credit notice po is for the entire AOM po.

REP. PIMENTEL. But why would you issue a credit notice, when in fact, in accordance with the joint circular, it is very clear that intelligence and confidential funds, traveling expenses are not allowed?

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MS. CAMORA. Part of their compliance is they have explained that the... it was for... actually, for transport for operation expenses...

REP. PIMENTEL. So, you issued a credit notice for the entire 75 million pesos?

MS. CAMORA. Yes, Mr. Chair.

REP. PIMENTEL. Okay. Dito tayo sa pangalawa, iyong August 08. Again, the same findings—this is with regards to 37.5 million. May I know the status of this?

MS. CAMORA. Mr. Chair, as to the second... the AOM No. 2024-171, we received their compliance on August 27, 2024, and the audit of the... the evaluation of their compliance is still ongoing, Mr. Chair.

REP. PIMENTEL. So, you are still evaluating it.

MS. CAMORA. Yes, Mr. Chair.

REP. PIMENTEL. Ganoon din po ang nakalagay dito. "The propriety of the transaction could not be ascertained as the submitted LRs were not fully supported with complete and proper documentation." Ito ba ay pinatutunayan mo na may mga dokumento na?

MS. CAMORA. Mr. Chair, may information po ako na nag-submit po... na po sila ng compliance...

(MS. ROSALINDA C. NOCUM TOOK OVER)

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MS. CAMORA. (Continuing)...ng compliance. But since ako po ang nagre-review noong audit, hindi pa po na-submit sa akin for review.

REP. PIMENTEL. Wala ba kayong nakikita dito sa findings ninyo na labag sa batas or labag doon sa joint circular? On paragraph 5, nakalagay po dito, "The confidential fund shall be used only for confidential expenses, including purchase of information, blah, blah, blah..." Ngayon, ito iyong analysis ninyo, "Analysis of the submitted accomplishment report revealed that the amount of 2 million 540 thousand pesos was used for the purchase of information relative to car loan scams whose victims are mostly personnel of the Department of Education." Ito ang tanong ko, sa tingin ba ninyo sakop pa ba ng intelligence funds, confidential funds ang pag purchase ng information para sa car loan scams?

MS. CAMORA. Mr. Chair, that is why it is in the Audit Observation Memorandum po kasi wala po siya sa mandate ng DEPED and so wala din po siya sa allowed na confidential expenses.

REP. PIMENTEL. Yes. Dito rin sa ano ninyo, ito dapat talagang pagtuunan ninyo ng pansin kasi kayo mismo ang nag-issue ng AOM. Dito sa paragraph 5, based on your AOM, sinabi na ninyo, these expenses do not fall under item 4.81 of the Joint Circular nor an intended support, the mandate operations of the Department of Education, as defined under item 3.9 of the Joint Circular. Thus, Mr. Chair, very clear, the same should not be charged against the confidential fund of the agency.

So, very clear, po, kayo na po ang nagsabi na hindi puwedeng i-charge itong pag purchase ng information with regards to the car loan scams. Ano ba ang connection noong purchase of information supposedly for intelligence gathering, parang sinasabi ninyo na para sa hindi madala iyong mga bata, mga estudyante, hindi ma-influence ng mga NPA, eh, wala namang NPA dito sa car loan scams, ah. So, this will be noted and, hopefully, you really be diligent in your issuance of... Because, as for me, I am not an auditor at trabaho ninyo iyan, pero nakikita ko na ito, this should fall under the Notice of Suspension. Very clear ho iyan, Attorney, kailangan hong i-suspend po iyan because it does not fall within the mandate of the operations of the Department of Education and it does not conform to the Joint Circular of the DILG No. 2015-01.

Ngayon, Madam Attorney, dito naman po tayo, iyong 112.5 million pesos, upon my verification, upon the appreciation of the documents that has been submitted to this Committee, I found out most, if not all, of the 112.5 million pesos were used in the Youth Leadership Summit. Doon po ginamit. Ano ho ba itong Youth Leadership

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Summit and that is why we need the presence of Mr. Fajarda, kung ito ba ay pasok doon sa Joint Circular. Tingnan ho ninyo, ang sinabmit (*submit)* lang na liquidation nila is a certification from the different military authorities. Kaya we need to know whether this is documented, kung totoo ba talaga na ito ay nag-conduct sila ng Youth Leadership Summit? Ito, babasahin ko po ang isang certification, "This is to certify that the 1st Infantry, Tabak Division has conducted eight activities for the Youth Leadership Summit with 531 participants. Do we have documentation? Do we have evidences that, indeed, they conducted this Youth Leadership Summit or sa papel lamang ito? Because we have no way to verify whether ginawa po nila ito. Patapusin lang ho ninyo ako.

Mayroon na naman po dito, doon naman kay Lieutenant Colonel Panopio, "This is to certify that 205 youth students from different schools again conducted the Youth Leadership Summit."

Itong pangatlo po, si Adonis Bajao, Major General, ang sinasabi po niya, he conducted nine Youth Leadership Summit which engaged a total of 800... Iyon lang ho ang ginawang liquidation, there is no supporting documents. Do you have pictures, do you have receipts? Siyempre, kung Youth Leadership Summit iyan, kailangan may resibo, lahat, sa pagkain or what. In fact, for me, ordinary person ako, this does not fall within the utilization of the joint circular. Very clear po doon sa joint circular. Ano ho ba itong Youth Leadership Summit?

MS. CAMORA. Mr. Chair, ang confidential funds po kasi is undertaken to help the agencies accomplish their mandates po.

REP. PIMENTEL. May I inquire from Atty. Poa? Attorney ka ba?

MR. POA. Yes, Mr. Chair.

THE CHAIRPERSON. Atty. Poa, you're recognized.

REP. PIMENTEL. I think you're... you are with DEPED doon sa pag-conduct nitong Youth Leadership Summit. Puwede mo bang paki explain dito, ano ba itong Youth Leadership Summit? Kasi halos lahat, kung hindi man lahat ng 112 million pesos, doon ginamit sa Youth Leadership Summit?

MR. POA. Opo. Mr. Chair.

THE CHAIRPERSON. Yes, Atty. Poa.

MR. POA. Iyong... iyong Youth Leadership Summit, sa pagkakaintindi ko po, because even if I'm not the SDO, so I have no operational knowledge mismo doon sa detalye ng confidential funds. But I was the one who has... I'm sure you know I was the one who signed iyong response po doon sa AOM. So, iyong...ang pagkakaintindi

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ko po doon sa certification, sa ginawa nila, iyong Youth Leadership Summit is not something that DEPED conducted. But, actually, iyong mismong nag-certify po from the AFP, they conducted advocacy or awareness programs against insurgency in those certain areas. Iyon lang po iyong pagkakaintindi ko based on the documents. Kasi po iyong response ko po sa... ng DEPED doon sa AOM, we prepared it based on the documents that were available depending kung ano po iyong finding ng AOM.

REP. PIMENTEL. Mr. Chair, kahit na confidential fund po iyan, that is still taxpayer's money kasi ginagawa po natin ang budget kada... every year. And then lahat po iyan, iyong budget po natin, ang nagpopondo po niyan ay taxpayer's money.

Mr. Chair, you could just imagine, Youth Leadership Summit lang ito and the government spent 112 million pesos. Kahit kayo naman po siguro, mga auditor kayo, kung sino mang mga tao na nandito ngayon, napakalaking halaga naman po ang 112 million pesos para sa Youth Leadership Summit. Ipagpalagay mo na lang ang Youth Leadership Summit, tatlong araw, apat na araw, eh, based dito sa certification, 200 participants. Magkano ba ang pagpapakain ng 200 participants? Iyong isa, 800 participants, aba'y kahit na tatlong buwan silang mag-hotel, hindi mauubos ang 112 million pesos. Kahit na isang libo ang pakainin nila kada araw, hindi mauubos ang 112 million pesos. And that is why this Committee would want where the money went because it is very clear, this is just on paper. Pero ang totoo po niyan, may pinuntahan ho iyong 112 million pesos. Alam ninyo ho iyon.

So, Mr. Chair, the person, the key person to answer all those questions is si Mr. Edward Fajarda. Siya ang nag-cash advance...

(MS. JOSEPHINE F. AROMIN TOOK OVER)

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REP. PIMENTEL. (Continuing)...nag-cash advance, siya rin ang nag-liquidate. So let us ask him paano nangyari iyong...to explain to us, 112 million pesos. As far as I'm concerned, there are only three certifications here. Ang nakalagay dito isa 863 students, ang isa 200, ang isa 900 students. Pagpapakain lang ng almost 3,000 students uubusin ba natin ang 112.5 million pesos?

So that is why, Mr. Chair, I will reserve my question. But as a layman, as I've said, we are not COA, we are not auditor, but very clear po, malaki ho ang mga katanungan na dapat sagutin ng DEPED party dito sa 112.5 million pesos.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Johnny Pimentel.

Yes, you have a manifestation, Congressman Suansing.

REP. M. A. B. SUANSING. Yes, Mr. Chair. Thank you very much.

Mr. Chair, my apologies, I would need to move to the Plenary for the budget deliberations. But before that, Mr. Chair, I would just like to quickly go back lang po to a query that the Committee has with regard to the...some data that we need from COA with regard to the Office of the Vice President.

Mr. Chair, in September 10, 2024, when we had our second deliberation on the proposed budget of the OVP and the Committee on Appropriations, Mr. Tomawis is here, and as the team lead of the audit team was there, and we requested for specific data on the rental...the details on the rental expenses for the head office, the satellite offices, and the extension offices. As per checking with the Committee Secretariat, Mr. Chair, COA has yet to furnish this Committee with the said information and data.

So, Mr. Chair, if we may ask Mr. Tomawis and the team from COA for this information, Mr. Chair.

THE CHAIRPERSON. Mr. Tomawis, would you like to respond?

MR. TOMAWIS. Mr. Chair, with regards to the question, we can furnish the copy.

THE CHAIRPERSON. When? Do you have it now?

MR. TOMAWIS. We have...we have the details.

THE CHAIRPERSON. You have it now?

MR. TOMAWIS. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. ComSec, could you please get a copy of the documents as requested by Congresswoman Suansing?

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REP. M. A. B. SUANSING. Mr. Chair, may I ask Mr. Tomawis if this has also information on the size of each of the different satellite offices in terms of square meters, Mr. Chair?

MR. TOMAWIS. Mr. Chair, yes. As to the satellite offices, as to the square meters of each rentals of…rental of office spaces, they are square meters…

REP. M. A. B. SUANSING. And finally…

MR. TOMAWIS. …based on the contract.

REP. M. A. B. SUANSING. And the third information, Mr. Chair. Do we have information as to when the Office of the Vice President started paying the lease for each of these properties?

MR. TOMAWIS. Mr. Chair, as to the commencement of the lease, there is also the period when the lease commences.

THE CHAIRPERSON. Are you satisfied, Congresswoman?

REP. M. A. B. SUANSING. Finally, Mr. Chair, just to clarify. So, just to make sure, this includes data on the head office, the 10 satellite offices, and the two extension offices, Mr. Chair.

MR. TOMAWIS. Actually, the data is from the previous admin, 2022, and also the Central Office and the satellite offices.

REP. M. A. B. SUANSING. Mr. Chair, you mentioned 2022, or do you have information on 2023 as well, year 2023?

MR. TOMAWIS. Our information, Mr. Chair, is from 2022 up to 2024.

REP. M. A. B. SUANSING. Which month in 2024, Mr. Chair?

MR. TOMAWIS. Up to July 2024, Mr. Chair.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair. I'll request the ComSec to furnish this Representation with those data. Thank you very much, Mr. Chair.

THE CHAIRPERSON. Please take note of the manifestation of Congresswoman Suansing, ComSec.

MR. TOMAWIS. If I may clarify, this pertains only to the details on the office spaces. And the other particulars, such as those lease of vehicles, property, plant, but then we can only provide the details on the office spaces.

REP. M. A. B. SUANSING. Yes, Mr. Chair, because from…as you mentioned before, Mr. Chair, Mr. Tomawis mentioned, so in… for example, year 2022, the total rental…rent expense was at 52 million. Sorry, 2023, it's at 53.5 million, but that

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includes like different types of rentals, Mr. Chair. So will the data shared with us by COA segment that as to the different types of leases?

MR. TOMAWIS. As to the…these documents, we have the amounts for…pertaining for the lease of different office space, vehicles, and other rentals of the OVP pertaining to the 53 million. And also, we have also the breakdown as to the amounts of the lease of office spaces per satellite office and Central Office.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair. I will peruse the documents shared by COA.

Thank you very much, Mr. Chair, for the opportunity and for making time, Mr. Chair. Thank you very much po.

THE CHAIRPERSON. Thank you, Congresswoman Suansing.

The next interpellator is Congressman Inno Dy.

REP. F. A. DY. Thank you, Mr. Chairman.

Mr. Chair, if I may just quickly go back to Usec Gloria since she's here with us this afternoon. Mr. Chairman.

THE CHAIRPERSON. Yes, continue with your interpellation.

REP. F. A. DY. Firstly, Mr. Chair, I would just like to say, Ma'am, that based on your Affidavit and based on the testimonies that you have given, it seems like, you know, based on my judgment po, ano, you're someone that really stands by your principles, someone that has a strong moral compass given na sa mga pangyayari nga na ito sa inyong mga binanggit sa inyong Affidavit ay...You mentioned that in paragraph six that you were just asserting…you firmly asserted that the procurement must be implemented and conducted in strict adherence with the rules. And with that, Mr. Chair, kasi nakalagay din po dito sa inyong salaysay, "Sometime in October 2023, the likelihood of a bidding failure for the DEPED Computerization Program became apparent." What do you mean by that, Ma'am? Papaano po naging apparent na maging…magpe-failure po iyong bidding?

THE CHAIRPERSON. Usec Marcado, you are recognized.

MS. JUMAMIL-MERCADO. That's kasi a 2022 money. I actually don't get involved in the bidding process because ako iyong nagre-review sa taas. But I get feedback from the Chair and the other members on what is currently the status of the bidding process. And the report is that it looks like it's going to fail only one or two. I'm not...I don't want…

REP. F. A. DY. Due to what reasons, Ma'am?

MS. JUMAMIL-MERCADO. Ha?

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REP. F. A. DY. Sa inyo pong nakuhang impormasyon bakit…

MS. JUMAMIL-MERCADO. No, I'm not privy to the reasons because that's a bid…bidding committee function. But it's usually not complying to the…to the standards of the Procurement Law.

REP. F. A. DY. So iyong qualifications, *et cetera, et cetera.*

MS. JUMAMIL-MERCADO. Yes. Yes.

REP. F. A. DY. So, dito rin po kasi sa inyo pong meeting noong lunch po na iyon, when you were approached, as you mentioned, by Atty. Munsayac, sabi niyo po kasi dito na mag-uusap-usap na lang para hindi masayang iyong 2022 budget. Ano po ba iyong interpretation niyo dito?

MS. JUMAMIL-MERCADO. That's an old money kasi. It's an…It's a 2022 money, but it was only bidded in 2023. So, ang very strict iyong guidance diyan, it has to be completed, iyong process, and paid by December 2023.

So ako, iyong context ko doon is, it's their way of making sure that we would be able to bid out the computers because it was needed in the field.

REP. F. A. DY. But ang sa inyo po, parang ang dating na to be more lenient on their qualifications? Ano po ba ang pagkakaintindi niyo dito pag-usap-usapan?

MS. JUMAMIL-MERCADO. Siguro it's more of, you know, telling everyone, na, oh, you comply with the requirements and make sure that we push through with the bidding process. But that's not how it should be.

REP. F. A. DY. So, kasi base po…base po sa inyong impormasyon, saka sa inyo po, na talagang hindi naman dapat na matuloy ito dahil nga kailangan natin talagang panindigan na sundin iyong mga...

MS. JUMAMIL-MERCADO. And we have…we have an experience of some of our good friends being thrown into a difficult situation because of previous bidding process of computers. So, we wanted to make sure that it is not going to happen in our time.

REP. F. A. DY. If I just may ask, Ma'am, you mentioned that a certain director was with you, correct?

MS. JUMAMIL-MERCADO. Resty Osias. He's also a member of the BAC.

REP. F. A. DY. A member of the BAC. Is she still currently a member of the BAC?

MS. JUMAMIL-MERCADO. Yes. Yes. Yes, Your Honor, Mr. Chair.

REP. F. A. DY. Ano po ang…nag-usap…

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REP. F. A. DY. (Continuing)…nag-usap ba po kayo pagkatapos nito kung ano po ang ibig sabihin? Napag-usapan niyo ba po ito noon?

MS. JUMAMIL-MERCADO. Ang reaction niya is, "Bakit niya sinabi iyon?" I think that was the reaction of the three others who were there na…

REP. F. A. DY. So, all of you guys agree that the statement made was something out of the ordinary na hindi naman po dapat?

MS. JUMAMIL-MERCADO. Yeah.

REP. F. A. DY. Okay po. And gusto ko lang pong tanungin din, Mr. Chairman, sabi niyo rin po kasi dito sa paragraph 9 naman—Prior to your meeting with Ms. Lopez, six under…six other Undersecretaries and Assistant Secretaries of DEPED were summoned on different occasions by Miss Zuleika and Atty. Poa, and Atty. Fajarda, all for the same purpose of informing them that they should tender their resignation effective on the same day. Sino-sino po ang mga officials na ito, base po sa inyong recollection? Or can you just provide this Committee later on, Ma'am, kung maalaala niyo po? Or do you have any…?

MS. JUMAMIL-MERCADO. I can, because I'm the HR.

REP. F. A. DY. Okay.

MS. JUMAMIL-MERCADO. I must admit, it's a very difficult thing to hear these things, kasi HR ka, and you don't know anything about them leaving. But they informed me right after they went through that experience. The first one is a Usec and an ASec. I think I should not mention their names.

REP. F. A. DY. Okay.

MS. JUMAMIL-MERCADO. And they were…April 30, they were asked to leave on that same day. We sought…we sought…we actually sought for reconsideration of one of them, because he was CESB awardee and he's a CESO I. So, parang it will destroy his career. And then, we also sought consideration because if they leave on April 30, they will not be entitled to the midyear bonus. And I asked that not because of the Usec/ASec but for the staff, because all of them have staff. So, iyon iyong consideration.

The next two, one was also asked to leave, are Usec. for Legal, and the other one submitted a resignation, supposedly 30 days to take effect, ASec, to take effect 30 days after, but she was informed that it's gonna be effective that day. And then, the other one was removed very early on in 2022. And the last one was asked by…well, Usec. Poa just relayed the information that the Usec. For Curriculum and Teaching has lost its confidence on one of the assistant secretaries, therefore, she has to leave.

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But she wanted to ask for consideration to, at least, one week more, but she was asked to leave on that day.

REP. F. A. DY. So, all of them, none of their requests for an extension were granted, Ma'am?

MS. JUMAMIL-MERCADO. Except for one who was allowed to be sent to the pool of the Career Executive Service Board.

REP. F. A. DY. Were they...as far as you know, were they given enough reasons or justification as to why they were asked to resign?

MS. JUMAMIL-MERCADO. I think, it's more of the leadership is not happy with their performance, something like that.

REP. F. A. DY. Okay po, Mr. Chair. Maraming salamat po, Madam Gloria. I just wanted to clarify that.

Mr. Chair, if you will mind that I jump into another topic since the Department of Education is here. Because just a few weeks ago, I was reading certain news articles, and to be honest, I was heartbroken and saddened with what I've read. Because according to certain news articles, that the COA flagged that the School-Based Feeding Program of the Department of Education had lapses. Can you confirm? Any representative from the COA can confirm na mayroon pong ipinlag *(flag)* sa Department of Education regarding the implementation of the School-Based Feeding Program?

REP. KHONGHUN. Ms. Imelda Celso, COA.

MS. IMELDA G. CELSO (Supervising Auditor, Commission on Audit). Your Honor, Mr. Chair, there are findings on the implementation of the School-Based Feeding Program, which was raised...which were raised by the regional offices. So, one of which is the delayed implementation of regular and milk feeding components in 21 SDOs or school division offices. Number two, non-compliance with the technical specifications and other deviations from the DEPED guidelines. Number three, non-reprogramming of unutilized funds. Number four, payment of nutritional food products prior to the delivery. Number five, lapses in the inspection and acceptance of deliveries, and deficiencies in the procurement contract and documents. And last, non-compliance with the RA 9184.

REP. F. A. DY. Thank you, Mr. Chair. The reason I bring this up, because ever since I started in Congress, one of the things I've been advocating for is to actually expand the School-Based Feeding Program. And then now, we hear in the

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news na hindi pa po nai-implement ito na maayos. Talagang nalulungkot po ako sa aking mga nabasa.

So, sa…gusto ko lang pong i-direct ang questions ko sa DEPED. Ano po ba ang definition po natin ng undernourished students? Can any Usec, kung sino pong…

MR. DEXTER A. GALBAN (Assistant Secretary for Operations, Bureau of Learner Support Services, Department of Education). Mr. Chair.

REP. KHONHUN. Go ahead. You are?

MR. GALBAN. Assistant Secretary Dexter Galban.

REP. KHONGHUN. Okay. Go ahead.

MR. GALBAN. By definition, Mr. Chair, when we call our learners undernourished, that means they are classified under two components, either they're severely wasted or wasted, and this is based on the standards provided by the World Health Organization. So, mababa po ang timbang ng bata para sa kanyang edad.

REP. F. A. DY. So, doon po sa 5.69 billion pesos that's allocated for the School-Based Feeding Program, ilan ang target beneficiaries po nito?

MR. GALBAN. The target beneficiaries for the 5.6 billion was 1.6 million beneficiaries, and they are composed of all kindergarten learners up to Grade 6 who are classified as severely wasted and wasted in all schools.

REP. F. A. DY. So, iyon nga po iyong nakakalungkot dito, Mr. Chair, na these formative years are some of the most important years for our learners. And yet, ito pong pagkakataon na makakuha po sila ng sapat na nutrition sa eskuwela ay hindi pa po nila nakukuha because of poor implementation.

So, out of this 5.69 billion, Ms. Imelda, magkano po dito o anong amount in total ang hindi po na-implement nang maayos? Dahil base po sa mga news articles, ito po ang nangyari. Nakalagay po dito, the state auditor has identified that, at least, 21 school divisions in 10 regions were one, or all of the following were found: Mayroong mga panis na pagkain, mayroong mga amag na iyong mga nutribun, may mga insekto, unhygienic iyong packaging, again, delayed iyong delivery, hindi na naibibigay ito sa tamang mga estudyante. So, napakaraming lapses noong pag implement nitong programang ito. So, out of the 5.69 billion pesos, Ms. Imelda, how much of this was poorly implemented o hindi po na-implement nang maayos?

MS. CELSO. Your Honor, we don't have the data as to how much, but we can give it to you later.

REP. F. A. DY. Yes, Ma'am Imelda, can you please provide this Committee with that exact data?

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Gusto ko lang pong tanungin din ang DEPED. Ano ba po dapat iyong ibinibigay natin? Base po sa ating batas, ano po iyong dapat na ibinibigay sa ating mga kabataan, sa ating mga learners?

MR. GALBAN. Mr. Chair, our learners are provided with nutritious food products or hot meals, and this is accompanied by milk. So, for our implementation for that particular school year, that would be for 120 days of food and hot meals. And for the milk, it would be for about 43 days.

REP. F. A. DY. So, do the suppliers go through a certain type of certification, accreditation? Kasi iyong mga...Can you just imagine sa Probinsiya ng Aurora, may mga insekto na iyong mga nutribun na natatanggap nila o pagkain na natanggap nila. So, how does...

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REP. F. A. DY. (Continuing)...how does the Department of Education go through the accreditation, inspection? Ano po ba, papaano ninyo ini-implement itong programa na ito?

MR. GALBAN. At the beginning of the year, Mr. Chair, we conduct a supplier mapping to determine what modality of food delivery will be conducted, whether this would be nutritious food products or hot meals, as well as the milk. The milk component is coordinated with the National Dairy Authority and the Philippine Carabao Center. So, we rely on their capability to provide us with their mapping as DEPED is not an expert when it comes to, for example, milk mapping. And we use the findings to also guide our regional and local focal implementors as to how to proceed with procurement.

I just like to highlight, Mr. Chair, that the school-based feeding program is decentralized as such there is no money that passes through the Central Office for procurement purposes for the food component directly released to the implementing units at the SDO level. Hence, the data or the COA results and findings are targeted to the SDO level and we have data to reflect on the percentage of successful implementors and those that had delays or some problems.

REP. F. A. DY. No. I understand, Mr. Chair, that this is a decentralized program, but you have to be strictly monitoring the implementation of the regional offices, the certain provincial offices. Because imagine, talaga...ito po iyong...the reason why these people are wasted, severely wasted it is because wala nga po silang sapat na pagkain na makakain sa kanilang mga tahanan. Yet, ito po iyong pagkakataon nila na nasa eskuwela sila na makakuha sila ng sapat na nutrisyon. And we all know there is a correlation between how a student can be successful; how they can learn. Kung hindi po sila nakakatanggap ng sapat na pagkain o nutrisyon, yet, we've failed all those students. Kaya naman po, Mr. Chairman, talagang this is really unacceptable.

So, we want to know, ano ba po iyong mga hakbang na na ginawa ninyo to address these implementation issues?

MR. GALBAN. Mr. Chair, on the part of the Department of Education, we are proceeding with earlier procurement activities to ensure that there are minimal if absolutely no delays. And at the same time, we have begun pushing for stricter penalties for those that are able to deliver faulty food because these are primarily based on the suppliers. So, if they are deemed to have been consistently providing poor products, then they should be blacklisted. And at the same time, we are setting

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up a public grievance platform so that it would be easier for us to identify kung mayroon na pong problema kaagad sa school level so that we may follow up and intervene before it becomes a big issue at the implementing level.

REP. F. A. DY. So, with these suppliers that have failed to implement this correctly, ano ba po ito, may refund ba ang gobyerno dito? Papaano ang nagiging hakbang ninyo dito? Kasi imagine kung ito po nga sa Bulacan, sa…itong iba't ibang probinsya na hindi nai-implement nang maayos in the amounts of 20 million, 30 million. Sa Camarines Sur, 98 million worth of milk products were not even delivered. So, ano po, what happened to these funds? Are they still intact? Nabayaran na ba iyong mga supplier nito? Ano po…

MR. GALBAN. Mr. Chair, if I may. I may provide a summary of the current status of these COA findings. So, of the 217 divisions that we have in the Department of Education, 192 were able to implement the program with no delays or issues. That's about 88 percent. Of the 26, I believe that have findings, 20 are based on the delay of the implementation. The remaining have issues with technical specifications and/or some spoiled products.

As of the moment and based on our data, all of these implementing units have already successfully completed the program rollout. Those that were noted to have problems in terms of spoilages or moldy bread or with pests, based on our standard contract, the supplier will bear the burden of replacing these at no cost to DEPED. So, there was no loss to government.

And as coordinated with the local COAs, all of the responses of the local SDOs have been accepted, and there was no disallowance forwarded because they were still able to complete the implementation within the acceptable timeline.

REP. F. A. DY. So, ASec. Dex, do you…kayo po, do have the number of schools and number of students that were affected by these lapses in implementation? Can you provide this Committee?

MR. GALBAN. We may provide the specifics at a later time, but we do have that data set. However, I may provide actually, Mr. Chair, the amount based on the data that we currently have of the food products that were affected, particularly the spoiled and the…the ones with moldy bread and pests.

Based on our current data set, the amount of food products that were affected totals to about 32 to 35,000 pesos. But it's the milk component that really is quite concerning at about 960,000 pesos. All of these, as mentioned earlier, have been

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replaced at no cost to DEPED, and we're trying to work well with PCC and NDA to eliminate these delays and concerns.

REP. F. A. DY. Mr. Chair, if I may just request a full report of the actions taken by the Department. Also, the suppliers involved with the implementation of these programs which were flagged by COA. And also, can we get a report from the previous years kung ano ba iyong mga naging problema sa implementasyon? Ano so… Have we been improving; have we been…have we been parang poor…have we been losing—alam ninyo po iyon—losing momentum and how to better implement this program. Ano ba po iyong nangyayari talaga dito sa programang ito? So, gusto po natin malaman lahat ng ito, Mr. Chairman. So, can you please provide us with all this data, and I really want to know kung ilang estudyante iyong naapektuhan nito kasi kawawa po talaga itong mga batang ito na hindi man lang…ito na nga po iyong pagkakataon nila na makakuha ng sapat na pagkain ng nutrisyon sa schools, yet, we really failed them. So, this is unacceptable, Mr. Chairman. So, please provide this Committee a full report on these incidents, Mr. Chairman.

THE CHAIRPERSON. DEPED, please wait to be recognized by the Chair. Yes, you are recognized now, Dexter Galban.

MR. GALBAN. Yes, Mr. Chair, the Department of Education will provide the full report. But to provide a bit of context, Mr. Chair, for the School Year 2023 to 2024, the Department of Education was able to provide about 252 million meals to our kids nationwide. And based on our current records, the ones that were affected in terms of pest spoilages include about 55,000 or so meals. All of which again, were replaced. This represents about .02 percent, but our goal is that there would be no spoilages or delays in the future.

REP. F. A. DY. Okay. Thank you, Mr. Chair.

REP. SUAREZ. Mr. Chair, just a rejoinder to Congressman Inno.

THE CHAIRPERSON. Yes, Deputy Speaker Jay, please continue.

REP. SUAREZ. Advocacy ko kasi itong nutrition. In fact, when I was Governor, I was one of the…not the first Governor to implement the first 1,000 days. So, nutrition is indeed a very close issue to my heart and, of course, to Congresswoman Anna's heart.

Matanong ko lang, kayo po iyong head noong nutrition program na pinatutupad ng DEPED?

MR. GALBAN. Yes, Mr. Chair.

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REP. SUAREZ. So, ilang beses ninyo pinakakain iyong bata sa loob ng isang linggo?

MR. GALBAN. For...every day, Sir, for the rest of the week. Five days a week for a timeframe of a 120 days for school year 2023 to 2024.

REP. SUAREZ. Hundred twenty days...for 120 days, so that's around four months. Tama ba iyon?

MR. GALBAN. Four to five months, Mr. Chair.

REP. SUAREZ. Yeah, four to five months. Tapos, paano ninyo nade-determine kung ano ang ipapakain sa kanila?

MR. GALBAN. So, each SDO is given guidance as to ano'ng modality po iyong gagamitin; would we be going with nutritious food products that are based on the standards of DOST-FNRI or hot meals, iyong mismong kanin at ulam po.

REP. SUAREZ. So, wala kayong ginawang assessment bago ninyo dinetermin *(determine)* kung ano iyong nutritional lacking noong mga bata bago ipatupad iyong programa?

MR. GALBAN. Prior to the implementation, the learners that will be included in the program are weighed. So, that would be our inclusion approach, Mr. Chair.

REP. SUAREZ. So, tinimbang ninyo lang.

MR. GALBAN. Yes, Sir. And we plotted them based on the WHO standards.

REP. SUAREZ. But you know that weight is not the determinant of under nutrition, malnutrition, over nutrition, correct?

MR. GALBAN. It's not the sole factor, Mr. Chair.

REP. SUAREZ. But that is what you used.

MR. GALBAN. That is in accordance to the existing laws, Sir.

REP. SUAREZ. That is what you used.

MR. GALBAN. Yes, Sir.

REP. SUAREZ. So, therefore, iyon pa lang, Inno, I just want to ask ano, I think we should really look...

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REP. SUAREZ. (Continuing)...look into this program—you and I—you know, as both advocates of nutrition, proper nutrition for children. Because I think not only was there a wastage in the fund utilization, as seen by COA, but I think down to the implementation... down to what is being given to the children, mukhang hindi rin yata sapat at nararapat iyong naibibigay sa kanila. So, maganda matingnan din po natin ito.

I just want to thank Congressman Inno for that excellent topic. Maybe we can look into this further.

Salamat.

THE CHAIRPERSON. Thank you.

Yes, the next interpellator is Congressman Acidre.

REP. ACIDRE. Magandang hapon po sa lahat. Mr. Chair, magandang hapon po.

Kanina po nasa opisina ko po ako noong naririnig ko po iyong testimoniya... nakikinig po ako sa testimony ni Usec. Gloria Mercado. Narinig ko po na sinabi niya na nakatanggap siya ng sobreng may laman na pera regularly at... I'm actually disturbed kasi kung sinabi ni Usec. Mercado na mayroon pang isa na nakatanggap at malamang mayroon pang ibang nakatanggap, I can just imagine if this was done on regular intervals, say, monthly, I can just imagine the total amount needed to sustain it over a year. And, you know, at 50,000 each, sabihin na lang natin may bente, may singkwenta, tapos mayroong 12 months, may Christmas pa daw, 'di ba, Mr. Chair? I can't just imagine and it's quite disturbing, 'no, for this particular practice. Even to use the language natin, even a small whim of this happening in a very one of the departments that we hold in high regard—the Department of Education—it's really quite disturbing.

But just to give a better picture of how things are at DEPED, Usec. Glo, you were... you were Usec for HR, right, Mr. Chair?

THE CHAIRPERSON. Usec. Mercado.

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. ACIDRE. Usec... Undersec... Usec, can you walk us to the process that DEPED followed in the selection Usecs and ASecs kasi I remember at that time, there was heightened attention at hiring of the best and the brightest for DEPED. Would you share with us if there was an emphasis on appointing the most qualified and capable individuals, Mr. Chair?

MS. JUMAMIL-MERCADO. Thank you, Mr. Chair.

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Actually, that's why we all started out inspired. And for once, we said that meritocracy is alive in the bureaucracy because we went through a process of applications being vetted, being, in fact, background checked, and then the final search was a committee that asked specific questions. So, if you are applying for a certain position, they will ask you questions around that.

So, it was… I think there were almost a thousand for…or hundreds—I'm not sure—but we were informed that there is… there were so many applicants. It was CES Board that made the application… the search… the announcement. And it says, if you're career and you're smartest and the brightest, you can apply. So, we did… we did apply online and then we were… we received notice for interview. And then after a while, we got notice that you are hired as Undersecretary for Bureau of Human Resource and Organizational Development. So, that's how the process went.

REP. ACIDRE. Mr. Chair, is this same process for the other portfolios?

MS. JUMAMIL-MERCADO. Yes, yes.

REP. ACIDERO. Given your experience in government, Mr. Chair, would you say this was something unusual for a government agency to go through this process compared to the other agencies that you worked before?

MS. JUMAMIL-MERCADO. Yes, that's why I said we were inspired when we started out. In fact, I recall I even posted in my… in my day saying that meritocracy is alive when we were chosen.

REP. ACIDRE. So, when this resignation… when this string of resignations happened, Mr. Chair, have… as HR, have you ever, you know, tried to understand why these resignations were happening? Were these resignations ever addressed or seen as a cause for concern within the Department?

MS. JUMAMIL-MERCADO. It was beyond us, you know. I have to admit as the HROD, and the parang nanay-nanayan of the EXECOM, every time someone is sent out, part of me dies off kasi they are also very close to me, and they're young. These people are young. I know it will affect their careers. So, even if this group tried to bond together, they have been inviting me to join them, I could not because I was not able to do anything for them as the HROD.

REP. ACIDRE. Mr. Chair, would it be fair to say that even if you are using the word resignations, these resignations were, in fact, *de facto* dismissals?

MS. JUMAMIL-MERCADO. Yeah. Because they…

REP. ACIDRE. And…

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MS. JUMAMIL-MERCADO. ...didn't want to but they have to because pride na rin siguro that they...

REP. ACIDRE. And Mr. Chair, the decision to dismiss them was entirely the Vice President's decision as Secretary of Education.

MS. JUMAMIL-MERCADO. It was... It was... Well, the three, it was Usec. Zuleika of OVP, then one was si Usec. Poa—iyong inutusan—and then iyong isa si ASec. Shine.

REP. ACIDRE. So, you mentioned Usec. Zuleika Lopez, the Chief of Staff of the Vice President. And at the time when she talked to these outgoing dismissed Secreta... Undersecretaries and Assistant Secretaries, she was part... she was not of the Department of Education, correct?

MS. JUMAMIL-MERCADO. No. No.

REP. ACIDRE. So, her role was really as Chief of Staff to the Vice President?

MS. JUMAMIL-MERCADO. Yes.

REP. ACIDRE. Was this something usual for officials of the Office of the Vice President to intervene or to meddle in affairs of the Department of Education when she was Secretary of Education, Mr. Chair?

MS. JUMAMIL-MERCADO. I guess that's... that's the difficult part of the situation kasi you're OVP, and at the same time, you're Secretary of Education. But it was unusual on my part to hear after they came back from the OVP that they were asked to resign. In fact, there was... the first one—iyong sila Usec. Kris—we were doing a national screening committee...

THE CHAIRPERSON. Ma'am, ma'am, Usec, pakilakas po, medyo hindi po narinig.

MS. JUMAMIL-MERCADO. We were in the screening committee, and we had to stop because like... it's like all of us cried, you know. And, fortunately, there was... one of the members of the screening committee was from CES Board, and she advised us that Kris should not be resigned because she is CESO 1. So, kung puwede siyang pumunta na lang sa pool. So, that's why we advised Kris to get the resignation and instead request for the pool.

REP. ACIDRE. Mr. Chair, Usec, kanina you mentioned a narrative na some officials were being called at a certain hour, and were told that they were being asked to resign or dismiss with the same day I believe?

MS. JUMAMIL-MERCADO. Yes.

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REP. ACIDRE. So, paano iyon may dala na silang resignation noong pinatawag sila or how was the process done?

MS. JUMAMIL-MERCADO. I guess they were asked to submit right there and then.

REP. ACIDRE. Right there in front of Usec. Zuleika?

MS. JUMAMIL-MERCADO. I am not sure if kay Zuleika or sa amin sa DEPED.

REP. ACIDRE. But, definitely, wala silang dalang resignation letter when they were called?

MS. JUMAMIL-MERCADO. Wala because they didn't know that they will have to go.

REP. ACIDRE. That they will have to be resigned?

MS. JUMAMIL-MERCADO. Uhm.

REP. ACIDRE. So, wala ding opportunity, Mr. Chair, Usec, that exit calls were done for transparency and accountability? Was there even a chance that the former...

MS. JUMAMIL-MERCADO. No.

REP. ACIDRE. ...DEPED Secretary, the Vice President, would meet with these officials para pa-thank you lang naman for the services rendered?

MS. JUMAMIL-MECADO. No, no exit calls.

REP. ACIDRE. No explanation on the part of the Vice President?

MS. JUMAMIL-MERCADO. Well, it was not explained to the EXECOM. We just... So, that was a very unhealthy precedence kasi parang after that, we all ran scared that we might be the next one.

REP. ACIDRE. Paano kung CESO, Usec, Mr. Chair? Kasi, siyempre, we have... we have certain rules to follow when it comes to Career Executive Service officers. Was there another process? Was there due process?

MS. JUMAMIL-MERCADO. That's why we have to resign because they're career.

REP. ACIDRE. Okay. Thank you. Thank you for that, Mr. Chair.

Kasi, ako... So, right there and then, they will lose their income...

(MS. ROSALINDA C. NOCUM TOOK OVER)

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MR. MORENO. (Continuing)...lose their income, their staff will lose all their benefits and salaries, and they were all left in the dark about the circumstances of their termination. Is that fair to say?

MS. JUMAMIL-MERCADO. Yes.

REP. ACIDRE. Would you agree, Mr. Chair, Usec. that these decisions appeared to be arbitrary or whimsical or even capricious to say?

MS. JUMAMIL-MERCADO. I'll choose arbitrary.

REP. ACIDRE. Would you... you know, you've been... I believe you've been a human resource practitioner for the longest time, would you believe that this somehow measures up to an abuse of authority or a lack of respect for government officials, especially those in the career service and for established processes in government service?

MS. JUMAMIL-MERCADO. Maybe it's a... probably for... for her, it's a decision she has to make. And as to what are the reasons, it's hard to speculate. But it's very, it's very inhumane for the...

REP. ACIDRE. I will supply the word, Mr. Chair, it's quite unprofessional. Would you agree?

MS. JUMAMIL-MERCADO. Yes. I'd rather used the word...

REP. ACIDRE. Unprofessional

MS. JUMAMIL-MERCADO. ...inhumane, inhumane.

REP. ACIDRE. Inhumane.

MS. JUMAMIL-MERCADO. Because you lost your income, hindi ba? Iyong may pamilya ka, eh...

REP. ACIDRE. Hindi man lang inisip kung may isasaing mamayang gabi pagka uwi.

MS. JUMAMIL-MERCADO. Oo.

REP. ACIDRE. Mr. Chair, would you know, Usec. Mercado, who replaced the outgoing officials?

MS. JUMAMIL-MERCADO. For... for the two in administrative services, it was General Mentin and General Baluyan.

REP. ACIDRE. So, that confirms the two Generals on the invitation. This serving as Usec. and ASec. Correct? What specific designation they had again, Mr. Chair?

MS. JUMAMIL-MERCADO. They were Usec. for Administrative Services and ASec for Administrative Services.

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REP. ACIDRE. You know, we have so much respect for our men in uniform, Mr. Chair, Usec. Mercado, but you you think having a General in the Department of Education would be something congruent with the mandate of the agency?

MS. JUMAMIL-MERCADO. But it's a decision that the leadership has… has opted to take. So, we cannot question it.

REP. ACIDRE. Now, considering these resignations, replacement of officials and, you know, this, as we say, arbitrary style of dealing with human resource at the Department of Education, how would you characterize the management style of the Vice President when she served as head of your agency?

MS. JUMAMIL-MERCADO. She… she has her targets. And I think that's… probably, that's where the… the disconnect is because my… my… my sense 'no, she has her targets, but she's in a different platform because ang orientation niya is local government. Well, as like policy process takes a longer one. Siya has to do it fast. I think she's been going down in the field, so mas… mas nakikita niya iyong problema. So, she wanted that really things to go very fast. But the policy process can take a little while. And since these are also human that you have to… to consider, so you have to explain to her that, that's how things worked in the… in the policy loop.

REP. ACIDRE. Would you say, would it be care to say that she could have been more humane in her dealings with the officials and employees of DEPED?

MS. JUMAMIL-MERCADO. I think humane is… yeah. But, probably, it's a context of she thinks that since we're the Executive Committee, we should, you know, level up to what she expected everyone to do.

REP. ACIDRE. The Executive Committee, Mr. Chair, is composed of the Usecs and ASecs.

MS. JUMAMIL-MERCADO. The Undersecretaries and the Assistant Secretaries.

REP. ACIDRE. How often did the Executive Committee meet with… with the Secretary of Education in person?

MS. JUMAMIL-MERCADO. I think we had…we had a face-to-face mga few times, but most of our Executive Committee meetings are online and usually she joins, but most of the time it's Usec. Poa who…

REP. ACIDRE. It's Usec. Poa who will preside?

MS. JUMAMIL-MERCADO. Yes.

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REP. ACIDRE. So, next level of the… of Usec., ASec would be the Regional Directors. How often did they…the DEPED Secretary then had meetings with regional directors?

MS. JUMAMIL-MERCADO. I'm not… it's…it's a… there's a… because there's an EXECOM and there's a MANCOM. I'm not very sure, maybe one… once… Maybe Usec. Revsee would know because he is the secretariat of the Management Committee. Usec. Revsee Escobedo is also here.

REP. ACIDRE. So, Mr. Chair, Usec. Glo should be once or… once or twice or how many? Just an estimation.

MS. JUMAMIL-MERCADO. Maybe quarterly.

REP. ACIDRE. Quarterly. So, she was DEPED Secretary for…

MS. JUMAMIL-MERCADO. Quarterly with… with Usec. Poa.

REP. ACIDRE. Ah, with Usec. Poa. But with… with the Secretary of Education herself?

MS. JUMAMIL-MERCADO. I'm not very sure with the…When we were there, she was attending MANCOM naman which was monthly when I was there, but I'm not sure after… after I left.

REP. ACIDRE. So, when you were serving at DEPED, she was attending or presiding over meetings with regional directors monthly, every month?

MS. JUMAMIL-MERCADO. For a certain time.

REP. ACIDRE. For a certain time. So, do you believe that that kind of leadership that you had in the Department of Education affected the overall stability and the quality of leadership down the line?

MS. JUMAMIL-MERCADO. Yes.

REP. ACIDRE. Do you think that the particular… you mentioned kanina parang LGU iyong perspective 'no, that her style would be focused more on… I don't want to use the word, but that's the only way to describe it, partisan, political interest rather than the welfare of the institution, the personnel and, ultimately, the students that DEPED ought to serve. Do you think that's a fair assumption, Mr. Chair?

MS. JUMAMIL-MERCADO. When I say "LGU," I think it's more of a fast result than… because she really goes down to the…to the ground, to the school level. So…

REP. ACIDRE. But that fast result appears to be… would imply, would require or sometimes results in a disregard for the career professionals in the Department. Don't you think, Mr. Chair?

MS. JUMAMIL-MERCADO. Yeah, sometimes.

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REP. ACIDRE. Last question, Ma'am. At least, Mr. Chair, I would know the Vice President is watching us because she just had a press conference and she said that she's denying, giving former DEPED Undersecretary Gloria Mercado 50,000 for nine months. And the Vice President is saying that Mercado has to let go because she used DEPED to solicit donations from the private sector amounting to 16 million without her knowledge. And she adds that she will provide the media with paper trail to back up her claim, describing Mercado as a disgruntled former DEPED official.

I think, Ma'am, given your long history and long service to the Republic, 40 long years, I think it's fair for you to...

MS. JUMAMIL-MERCADO. It's very sad.

REP. ACIDRE. ... be given the opportunity to reply to the Vice President.

MS. JUMAMIL-MERCADO. I... I think... I don't want to do this, but since siya na iyong nagsabi, i-turn over ko na iyong envelope, the envelopes where the money was.

THE CHAIRPERSON. ComSec, paki...

MS. JUMAMIL-MERCADO. So, it's nine envelopes.

THE CHAIRPERSON. ...kuha po iyong envelope.

MS. JUMAMIL-MERCADO. So, it says... it says "HoPE" and the amount is there. Kasi ang sakit naman noon, ordinaryo lang akong trabahante tapos inaano ka ng Vice President, hindi ba? It's very painful.

THE CHAIRPERSON. Ma'am, ilang taon na po kayo? I hope you don't mind. (*Laughter)* Hindi, gusto ko lang pong malaman kasi sabi po ninyo 40 years na po kayo in government.

MS. JUMAMIL-MERCADO. I'm 65, Sir, but I...

THE CHAIRPERSON. So, when the time when you were appointed as Usec. in 2022 ba, 2022...

MS. JUMAMIL-MERCADO. Hmm...

THE CHAIRPERSON. How old were you at that time?

MS. JUMAMIL-MERCADO. I was 64.

THE CHAIRPERSON. Sixty-four. At I'm sure sa edad ninyong iyan, after... pagkatapos ninyo pong pag-ingatan...

(MS. JOSEPHINE F. AROMIN TOOK OVER)

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THE CHAIRPERSON. (Continuing)...pag-ingatan iyong inyong pangalan for the past 40 years?

MS. JUMAMIL-MERCADO. Yes, Sir.

THE CHAIRPERSON. So, okay. Anyway...

MS. JUMAMIL-MERCADO. Sir...

REP. PADUANO. Mr. Chairman, Mr. Chairman.

MS. JUMAMIL-MERCADO. ...I'd like to...

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Sino iyon?

REP. PADUANO. Mr. Chairman, dito po ako. Mr. Chairman.

REP. ACIDRE. Mr. Chair, can I continue first.

REP. PADUANO. Congressman, wait, before I recognize Congressman Paduano. Ma'am...

MS. JUMAMIL-MERCADO. I'm so sorry.

THE CHAIRPERSON. Hi, yes.

REP. ACIDRE. I believe...

THE CHAIRPERSON. With the indulgence of Congressman Acidre, may man...

REP. ACIDRE. Hindi pa tapos.

THE CHAIRPERSON. Please continue, Congressman.

REP. ACIDRE. Mr. Chair, can we allow Usec. Mercado to continue with the...with her response? Because I was trying to ask her about the 16 million that the Vice President mentioned.

THE CHAIRPERSON. Please respond with respect to the 16 million. 16? 60?

REP. ACIDRE. Sixteen.

THE CHAIRPERSON. Sixteen million.

MS. JUMAMIL-MERCADO. Yes. I would like to respond to that because it's a press con.

When I was called for by Usec. Zuleika, he said, "Usec Mercado, you have to go because, one, you have a teacher in your staff." But I explained to them that the teacher was a contract of services when I joined DEPED, and the teacher has a pending application in Cebu because he's from the Visayas. And while he was working with us, he passed the...he qualified for the RQA. But then when he received his appointment as a teacher, it was already past the opening of the class...

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It was almost opening, and the teaching load was already apportioned. So, I called the RD. I said, "Can I still keep him? Because he was working on the special hardship allowance," which is...which was a program that VP Sara also wanted to improve because there's a new hardship allowance, and we just...we were just able to reduce the hardship threshold from 0.37 to 0.33. And she wanted the basis for the giving of the hardship allowance, special hardship allowance revisited. So, that's why that boy, that guy was the one working on it. So, I explained, and I...I don't feel at all na guilty ako doon sa sinabi niya.

The second one is, Zuleika mentioned that I solicited from two agencies. So, I explained to her that it was a program which our strand developed. There were two consultants from UNICEF who developed the app, and then we asked our external partnership office to look for external partners who will be...who will be presenting the program because we developed the concept. It was DEPED Guro. It's her being able to contact the 980,000 teachers. Parang...parang kahit nasaan siya puwede niyang makausap iyong mga teachers. The second one was for us to do an electronic mode of the RQA, parang there is no human intervention anymore. Everyone uploads the credential. Even the computation of the teacher qualification is already...is already on an elect—what you call this—hindi...wala na siyang human intervention. So that was the program. It wasn't us who choose who would be the partners, who will be invited. It was the external partnership. So we made a presentation to almost all the corporations, and then some of the corporations appreciated that it's a very important program. So, some of them committed to buy... Kasi what we did is we divided the total fund of 16 million into chewable chunks. So, if you're interested with this package, ito lang. If you're interested with it...because not everyone naman wanted to pay the 16 million. But there were two corporations who were willing to fund because we wanted to put one in Mindanao, one in Visayas, and one in Luzon. So there were two who committed to fund the full package. And that was... those were the two corporations that Usec. Zuleika said I solicited. So, I explained properly. I did not solicit. There's no money involved there. These are equipment. Walang cash po doon. Equipment siya na ite-turn over sa DEPED.

So, I feel very sad that up until now, the VP has not been appraised, as I explained it to her people, that I...we did not solicit. In fact, the two corporations are willing to give an affidavit that I have no solicitation from them of 16 million.

REP. ACIDRE. So, to reiterate, Mr. Chair, Usec, first, this was sanctioned DEPED project.

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MS. JUMAMIL-MERCADO. It's a DEPED project, yes.

REP. ACIDRE. Second, you did not do the solicitation yourself. This was…

MS. JUMAMIL-MERCADO. It was managed by the external partnership.

REP. ACIDRE. …managed by the external partnerships office.

Third, no cash donation was ever made.

MS. JUMAMIL-MERCADO. It's equipment.

REP. ACIDRE. Equipment was given to the Department.

So, none of this, of what allegations that the Vice President is making against you, is true?

MS. JUMAMIL-MERCADO. Yes, Sir. Yes, Mr. Chair. And that makes it very sad because she's saying it now. Ibig sabihin, her people did not explain to her.

REP. ACIDRE. At least, I know what she's watching, then she'll probably be able to get the information from you now.

Thank you, Usec. Glo. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Ano lang po, short interjection with regards to the envelopes that was submitted to this Committee. And I just put…I just want to put it on record that, voluntarily, Usec…former Usec. Mercado, submitted the nine envelopes, no sealed, to support his claim…her claim in her Affidavit, paragraph 4. Tama po, Usec? Ito iyong sa affidavit mo, eh, paragraph 4, 'no?

MS. JUMAMIL-MERCADO. Yes. Yes, Mr. Chair.

REP. PADUANO. So, Mr. Chairman, again, just for the record, the nine envelopes are being submitted voluntarily by Usec. Mercado and for this Committee to keep it as part of the supporting evidence that was claimed through her Affidavit, Mr. Chairman.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you po.

The Chair would like to recognize the next interpellator, Congressman Suan.

REP. KHONGHUN. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. With the indulgence of Congressman Suan, please.

REP. KHONGHUN. Mr. Chair, first...

THE CHAIRPERSON. Cong. Jay Khonghun.

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REP. KHONGHUN. Usec Mercado, pupuwede po ba kaming makakuha noong copy din ng ano, ng resibo noong pinagdoneytan *(donate)* po niyo…natin ng ano…

MS. JUMAMIL-MERCADO. Opo.

REP. KHONGHUN. …ng pera?

MS. JUMAMIL-MERCADO. Yes, Mr. Chair.

REP. KHONGHUN. Thank you.

Second, Mr. Chair, I'd like to request, Mr. Chair, the COA for the copy of the rental or lease agreement of the 10 satellite offices and two extension offices of the OVP. I so move, Mr. Chair.

THE CHAIRPERSON. There's a motion by the…

REP. PADUANO. Second.

THE CHAIRPERSON. …Second…duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. KHONGHUN. Thank you, Mr. Chair.

THE CHAIRPERSON. Yes. The Chair would like to recognize Congressman Rodante Marcoleta. With the indulgence, of course, of Congressman Suan. Yes.

REP. RODANTE D. MARCOLETA. Thank you, Mr. Chair.

May I be allowed to raise some procedural issues?

THE CHAIRPERSON. Congressman Marcoleta, you are not a Member of this Committee. So, therefore, you are not allowed.

REP. MARCOLETA. I think, Mr. Chair, we have yet to resolve that. Because, as you said in the last hearing, my removal as a Vice Chair of this Committee was a Plenary action. And, therefore, there should be a Plenary action to remove me as a Member of this Committee. I would like to believe, Mr. Chair, that when I was installed as a Vice Chair of this Committee, it presupposes membership. I am supposed to be deemed a Member because if I were not a Member, I cannot be appointed as a Vice Chair. The officiality of that is the position is only a privilege, but membership is organic. So, until and unless that was to be resolved, Mr. Chair, I think you have to recognize me as a Member of this Committee. Because even if I admit, or I will probably…

(MS. PRECIOSA V. BALDONAZA TOOK OVER)

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REP. MARCOLETA. (Continuing)...I will probably accede to you that I am not a Member, kahit hindi po ako Member sa Komiteng ito, being a Member of the House of Representatives, I have the right to make issues and to raise issues. That's why I'm asking your permission to do so, Mr. Chair.

THE CHAIRPERSON. You can, at any time, make a manifestation. In fact, I've been recognizing you po. But with respect to the issue of your removal, the Committee is not in the position to answer that. Maybe you can question the Committee on Rules. Sila po ang proper...sila po ang proper Committee na pupuwede pong sumagot sa inyo pong katanungan.

REP. MARCOLETA. Yes, Mr. Chair, that is correct. But the only reason why I answered you back because you said that I am not a Member of this Committee. I should not have raised that at all had you not said it.

But may I continue, Mr. Chair, in raising some procedural issue. Because during the first hearing, I know that the very basis of this inquiry, in aid of legislation, was the Privilege Speech delivered by Honorable Valeriano. And I would like to make of record, Mr. Chair, although I was unable to do that during the first hearing, the Privilege Speech shouldn't have been allowed at all based on our rules. Our rules specifically state that no one can be allowed or avail the privilege hour if the concern is to raise in its Privilege Speech principally and directly relates to a bill under consideration. At the time Honorable Valeriano, Mr. Chair, delivered a Privilege Speech, the General Appropriations Bill was already filed on August 27, 2024. It took the Floor on September 3 and, therefore, any concern relating to subject matter in the budget or in the bill should not have been allowed at all.

And then this morning, I saw the agenda, Mr. Chair. There was an additional agenda added in this Committee, and this is supposed to be the manifestation raised by Congresswoman Luistro. And I saw in the notes that it was taken up as a *motu proprio* matter, Mr. Chair.

On procedural matters, I don't know how it should be done. Because *motu proprio,* to my mind, is something that would indicate an official action taken without formal request from another party. And so, my question, Mr. Chair, is how did the Committee took it on a *motu proprio* basis when it was a manifestation taken by another party?

I see it a very unusual procedure, Mr. Chair. Because this Representation, I would like to recall, that sometime in March 2024, delivered a Privilege Speech dealing on the same subject matter, and I think even more. I questioned the several

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irregularities pointed out by the Commission on Audit, specifically in 2017, 2018, and 2019 covering the audit report of COA in the Department of Education. In that Privilege Speech, Mr. Chair, I took note of the sum of something like 3.25 billion pesos of information communication technology packages.

As noted by the Commission on Audit at that time, Mr. Chair, there were no adequate supporting documents. Unfortunately, that Privilege Speech was not even referred to the Committee...to any Committee, either the Committee on Education or the Committee on Good Government. And so, my question, Mr. Chair, is, how is it special, or how special can a manifestation issued during the budget Committee hearing that this Committee, this good Committee, already took it as a *motu proprio* action subject matter to be covered by this hearing? So, parang there is no consistency, Mr. Chair. Parang...I would like to volunteer, Mr. Chair, that a copy of my Privilege Speech delivered on March 15, 2021, entitled Co-bodies DEPED. It wasn't even referred to any Committee, Mr. Chair, when I exposed several irregularities in the Department of Education, as audited by the Commission on Audit. I would like to volunteer that this be made part of the documents that might be taken up by the Committee in regard to any investigation with regard to DEPED.

In this particular Privilege Speech, Mr. Chair, I even questioned a particular law, it's Republic Act 8047. This is a law enacted in 1995. And in that particular law, it prohibited DEPED, then called DECS at that time, Mr. Chair. DECS, at the time, was already prohibited from procuring and publishing the books, and it should be relegated or it should be transferred to the private sector publishers.

For more than 25 years, Mr. Chair, the DEPED did not follow the law. It's Republic Act 8047. I have been pointing out to them several times already, but there was no investigation done on that matter. How is it that a manifestation issued during a budget hearing be taken up as *motu proprio* when a full Privilege Speech dealing on the same subject matter and even, I think, more appropriately described as more complete, but it wasn't taken up, Mr. Chair.

This is all, and I thank you very much for allowing me. Thank you.

THE CHAIRPERSON. Thank you. Duly noted.

Congressman Lordan Suan. Please proceed to your interpellation.

REP. LORDAN G. SUAN. Thank you, Mr. Chair.

Good afternoon, everyone.

I would like to address my questions to the Department of Education. Is it true that the Department of Budget and Management-Government Manpower Information

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System stated that the DEPED has 46,703 vacant positions out of 1 million 30 thousand 897 authorized positions as of May 20, 2024? Is there such a report from the DBM?

THE CHAIRPERSON. Sino po...kanino po ninyo ina-address iyong tanong po ninyo?

REP. SUAN. Well, I guess, we could have the DBM answer it. The Department of Budget and Management-Government Manpower Information System stated that DEPED has 46,703 vacant positions. Is this correct?

THE CHAIRPERSON. Sino pong sasagot?

MR. TOLEDO. Mr. Chair, Usec. Toledo from DBM.

THE CHAIRPERSON. Paki...

MR. TOLEDO. So, we're just pulling the record, Mr. Chair, so that we can answer exactly as far as the question is concerned, Mr. Chair.

THE CHAIRPERSON. Okay. But before you answer, please identify yourself para po malaman, for the record.

MR. TOLEDO. Yes, Mr. Chair.

THE CHAIRPERSON. Usec.

MR. TOLEDO. I'm Undersecretary Rolando U. Toledo.

THE CHAIRPERSON. Okay. Usec. Toledo, you are now recognized by the Chair.

MR. TOLEDO. Okay. Mr. Chair, as of April 24, the total authorized position of DEPED is 1 million 30 thousand 897, of which 95 percent or 983,351 positions are filled. So, Mr. Chair, so, iyon po iyong ano, the latest as of April 2024...

(MS. MARY JENELYN L. VASQUEZ TOOK OVER)

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MR. TOLEDO. (Continuing)...as of April 2024, that's what we have, Mr. Chair.

REP. SUAN. So, it's not true that 46,706 vacant... Oh, it's true. You have... How many positions were already taken? Nine hundred...

MR. TOLEDO. Nine hundred eighty-three thousand three hundred fifty-one positions, Mr. Chair.

REP. SUAN. So, would that mean that there are still 46,703 vacant positions.

THE CHAIRPERSON. Ah, Usec, Usec. Toledo...

MR. TOLEDO. Yes, Mr. Chair.

THE CHAIRPERSON. ...before I recognize you, I understand, Ma'am, that you are not feeling well. Usec. Mercado, you are now excused. Puwede po kayong... Sige po para makapagpahinga rin po kayo. Thank you po. Thank you for your time, Ma'am. Thank you po.

Ma'am...ah, Sir, Usec. Toledo, please continue.

MR. TOLEDO. Okay. Mr. Chair, based on record given that we have already...the position of 1 million 30 thousand 897 which is a filled-up position of 983,351. We have unfilled position of 47,546, Mr. Chair.

REP. SUAN. So, I guess it's true. In...may I ask this for the Department of Education. In DEPED Memorandum No. 42, series of 2024, the Department of Education Secretary Sonny Angara ordered the Department's offices to fill all vacant positions to ensure effective and efficient delivery of basic education services. And even the Education Undersecretary for Human Resource and Organizational Development Wilfredo Cabral noted that posts should be filled to ensure that the budget allocated for these items should be utilized within the end of the fiscal year.

Now, my question is, how long have these positions remained vacant?

MR. WILFREDO E. CABRAL (Regional Director/Officer-in-Charge, Office of the Undersecretary, Human Resource and Organizational Development, Department of Education). Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Yes, Usec. Sino po...sino po'ng... Cabral?

MR. CABRAL. Yes po, I am.

THE CHAIRPERSON. Okay, you are recognized.

MR. CABRAL. Good afternoon, Mr. Chair and Your Honors.

These vacancies have been existent for quite a while, but I would like to clarify that out of the 47,000 mentioned, this includes all CTI items, hard to fill items,

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and that includes all other positions, both teaching and non-teaching. As to how long, this is a series of natural vacancies as there are promotions and some of which are newly created for a particular fiscal year.

REP. SUAN. So, how many of these vacant positions were there as of December of 2023? Were there around 40,000 vacant positions as of December 2023?

MR. CABRAL. That's...that's correct, Mr. Chair. We noted that as of December of 2023, there were already vacancies that we noted close to about the number, as mentioned, Mr. Chair.

REP. SUAN. How about as of December of 2022, was the same...was there the same number of vacant positions?

MR. CABRAL. Mr. Chair, I beg your indulgence because I was not the HR at that time of the fiscal year mentioned.

REP. SUAN. So, in all of those years where there were tens of thousands of vacancies, was there a budget to fill those vacancies?

MR. CABRAL. Mr. Chair, Your Honor, all of those positions identified in the DBM-GMIS are actually funded when regular... when considered regular items.

REP. SUAN. So, they were funded by the DBM and yet, we were not able to fill them.

MR. CABRAL. Mr. Chair, they are funded but not yet released because we have the process that once unfilled positions are filled up due to hiring, that's the time that concerned implementing units, either region or through the division, submits that copy of appointment and the budget are requested for that purpose.

REP. SUAN. So, what happens to the budget allocated for those positions when they are not used by the end of the year?

MR. CABRAL. That goes to the PS savings as we call it, Mr. Chair.

REP. SUAN. So, apparently, there is a budget to fill these positions, but through the years, they remain unfilled. And I am concerned, Usec, because we are supposed to promote employment for Filipinos and lots of teachers need work. So, I guess in my eyes, this is an inefficiency that we must address. Can you imagine 40,000 people could have worked and this has...this has remained a problem for many, many years.

Anyway, let me move on to another topic. So, we have the...under the Basic Education Facilities Fund of the Department of Education for 2023, the Department

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had a total target to build 6,379 classrooms with a total budget of 23.41 billion. Is that correct?

MR. EPIMACO V. DENSING III (Undersecretary, School Infrastructure and Facilities, Department of Education). Mr. Chair, if I may. Mr. Chair, if I may respond.

REP. SUAN. Mr. Chair.

MR. DENSING. If I may respond.

REP. SUAREZ. Yes, Usec. Densing.

THE CHAIRPERSON. Usec. Densing, you are recognized.

MR. DENSING. Thank you, Sir.

For 2023, that original target with DBM is 6,379 classrooms. But after the DPWH, who is the implementor of the program, made additional factors, which include hauling costs, specific adjustments, and foundation design, the new target is 5,133, Your Honor.

REP. SUAN. But, Usec, only 192 classrooms were actually successfully built. Is that not right?

MR. DENSING. Mr. Chair, if I may. For 2020, Mr. Chair, the new policy was really to do multi-storey primarily because of the absence of buildable space. So, for 2023, 39 percent of the classrooms are one-storey; 61 percent is multi-storey. Then, after the SARO was released directly to DPWH in April 15, 2023, they had 30 days because we were monitoring the documents with DPWH. They had 30 days to be able to release the sub-ARO to the district engineering office. Therefore, around May, dumating po sa district engineering office bandang June. Pagdating ng June, doon pa lang nag-start mag-procure ang mga district engineering office. And in our monitor, they were able to finish the whole procurement process between July to August and some in September. Therefore, itong 192 are all one-storey buildings which can be built between 115 to 145 days; two storey, 180 to 240 days; three storey, 240 to 270 days; and four storey, 265 to 360 days. So, therefore, mayroon talagang spillover, Your Honor. In fact, as of June 2024, ang na-build na po na classroom is 998 classrooms, as of June 2024, that's 19 percent; 90 to 99 percent, 1,337, patapos na; 2,000...for 50 percent to 89 percent, 2,087. Then, 711 classrooms na lang po ang below 50 percent and nasa procurement.

REP. SUAN. So, that was as of June of 2024?

MR. DENSING. Tama po, Your Honor.

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REP. SUAN. But for the budget of 2023, only an actual number of 192 was built...

MR. DENSING. Opo dahil nga po iyong proseso ng...

REP. SUAN. ...out of the 6,379 which were supposed to be built...

(MS. ELISA P. DELOSO TOOK OVER)

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REP. SUAN. (Continuing)... to be built?

MR. DENSING. I-correct ko lang po, 5,133 na po iyong bagong...

REP. SUAN. Five thousand...

MR. DENSING. One hundred thirty-three.

REP. SUAN. ...one hundred thirty-three.

MR. DENSING. And again, it is really the process of procurement on the part of the Department of Public Works. Sila po kasi iyong implementor ng program. Our role is to monitor the pros... the way they are... they are building the buildings. And, again, 192 for one-storey po iyon kasi iyon ang pinakamabilis na magawa.

REP. SUAN. So, 192 out of 5,100 is still a very small percentage.

Now, on 2023, mayroon po tayong basic education facilities fund ang DEPED, tama?

MR. DENSING. Tama po.

REP. SUAN. 'Di ba?

MR. DENSING. Tama.

REP. SUAN. So, what is the purpose of this fund, Usec?

MR. DENSING. Ang purpose po ng pondo ay para gumawa ng mga bagong classroom, repairs, electrification, Gabaldon, and health facilities, kasama na rin po ang last mile schools.

REP. SUAN. Okay. So, is it true that the fund for this program is 33.85 billion?

MR. DENSING. Tama po, lahat na po iyan.

REP. SUAN. So that's... that's a huge amount of money.

MR. DENSING. Tama po.

REP. SUAN. And rightly so because I think the classrooms are the home of learning, and it's a very important infrastructure for our country. However, the percentage of merely 192 classrooms out of 5,000 is still very, very low.

Now, is it true that the DEPED made a target to repair 7,550 classrooms in 2023?

MR. DENSING. Seven thousand five hundred fifty-eight po ang classroom na dapat i-repair. Pero base po sa Special Provision ng 2023 GAA, lahat ng 1 million pataas, DPWH ho mag-i-implement—sila ho ang mag-aayos; lahat ng 1 million pababa, DEPED po. Therefore, sa 7,558 na targeted classrooms for repair, 208 lamang po ang ire-repair ng DEPED kasi iyon lang po ang 1 million pababa. Ang balanse po na 5,500... 7,508, ang magre-repair po niyan, DPWH po.

REP. SUAN. So, you were able to repair the 208 classrooms?

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MR. DENSING. Iyong 208, tapos na po iyong 208 kasi iyon lang po ang nabigay sa amin—less than 1 million.

REP. SUAN. And the rest are supposed to be repaired by the DPWH?

MR. DENSING. Tama po iyon.

REP. SUAN. Were they able to repair these classrooms?

MR. DENSING. Po? Ah…

REP. SUAN. Were they able to repair these classrooms—the DPWH?

MR. DENSING. Opo, as of July 2024, per DPWH report, 3,067 classrooms have been completed; 3,708 classrooms are still under repair, ongoing. Tapos mayroon pang around 900 na pino-procure pa ng DPWH.

REP. SUAN. As of?

MR. DENSING. July 2024.

REP. SUAN. 2024. So, in 2023, you had your Last Mile Schools Program, correct?

MR. DENSING. Ang Last Mile Schools Program po nagsimula ng 2020. Pero…

REP. SUAN. You still continued this through the year 2023?

MR. DENSING. Tama po. Sinimulan po ng 2020.

REP. SUAN. How much was the budget for the Last Mile Schools Program?

MR. DENSING. Ah, 1.5 billion po starting 2021 until 2023, 1.5 billion.

REP. SUAN. It's not 3 billion?

MR. DENSING. Ah, 3 billion po for 2024.

REP. SUAN. For 2024?

MR. DENSING. Tama po.

REP. SUAN. So, in other words, the goal of the Last Mile Schools Program is to make education more accessible, right?

MR. DENSING. Ito po iyong mga na-identify nating mahigit na siyam na libong mga classroom na nasa malalayong lugar—at least one-hour away from the center—nasa mga bulubundukin. At saka iyong mga classroom ay isa lang po ang teacher, nagmu-multigrade. Iyon po ang mga description ng ating mga Last Mile Schools. Nine thousand forty-five po sila in total, originally; ngayon po, nasa 8,400 na lamang.

REP. SUAN. Ang classrooms…

MR. DENSING. Ang… Opo…

REP. SUAN. …ang target?

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MR. DENSING. Opo, ang target na sites.

REP. SUAN. Is it true that the Last Miles School...the Last Mile Schools Program had a target of 88 schools?

MR. DENSING. Sa 2021, 98; sa 2022...

REP. SUAN. Ninety-eight schools?

MR. DENSING. Opo, sites. Sa 2022, 82; sa 2023, 93; then sa 2024, 166.

REP. SUAN. So, out of the 93 in 2023, how many were completed?

MR. DENSING. Sixty-one na po ang tapos; 30, ongoing; tapos, dalawang under procurement as of July 30, 2024.

REP. SUAN. So, it wasn't all finished in 2023? Only 61 were finished out of the 90?

MR. DENSING. Tama po iyon. Hindi po... hindi po natapos. Base sa aming pagtatanong sa baba kung bakit hindi nila natatapos, nahihirapan sila sa procurement. At sa bidding, marami raw failed biddings dahil maraming mga contractor na umaatras dahil nga daw po sa layo, not to mention na mayroong mga peace and order problems. At saka iyong lugar mismo mahirap tayuan po ng mga eskuwelahan.

REP. SUAN. So, would you say that the Last Mile Schools Program is still a success?

MR. DENSING. Para sa akin po, medyo...successful po siya. Kailangan lang talaga natin bigyan nang pagkakataon na magtayo doon kasi pinuntahan po namin iyang mga natatapos, nagga-ground break po kami, at natutuwa po iyong mga tao kasi bumabyahe po kami, naglalakad kami ng 30 minutes pabukid para makita talaga naming personal.

REP. SUAN. Okay. I'm done, Mr. Chair.

Thank you.

THE CHAIRPERSON. Okay. Tatapusin na po muna natin ang ating Committee hearing ngayon dahil mayroon po kaming... ia-address po ni Speaker iyong House sa Plenary. So, we will have to wrap up and...

REP. PADUANO. Mr. Chairman, before we...

THE CHAIRPERSON. Yes, Congressman...

REP. PADUANO. ...go doon sa...

THE CHAIRPERSON. ...Paduano.

REP. PADUANO. Ano lang po, just admin matters lang po.

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Did COA submitted the documents being required to them with regards to fraud audit manual or guidelines? Na-submit na po ba iyong guidelines ninyo doon sa fraud audit? Fraud audit, special audit, saka regular audit, iyon iyong hiningi natin noong nakaraan.

THE CHAIRPERSON. ComSec. ComSec.

REP. PADUANO. Na-submit ninyo ba?

THE CHAIRPERSON. COA, please…sa COA po ba?

COA, please answer po.

MR. LAPITAN. Mr. Chair.

REP. PADUANO. Please.

MR. LAPITAN. Yes po, we submitted po through electronic mail sa ComSec po.

REP. PADUANO. ComSec, na-submit daw nila iyong guidelines with regards sa fraud audit, regular audit, saka special audit?

THE ACTING COMMITTEE SECRETARY. Yes, Sir, COA has submitted electronic copies.

REP. PADUANO. Iyong, ano, Bureau of Treasury, did they submit the, ano, iyong question of fidelity bonds of all those mentioned name? Kasama na po dapat iyong, ano, iyong sa DEPED.

THE ACTING COMMITTEE SECRETARY. Yes, Sir, BTr also complied. They submitted an electronic copy of the fidelity bond of the officers from DEPED and BTr for 2022 to 2024, Your Honor.

REP. PADUANO. Okay. Last na lang po. Ito, kasi next hearing magdedetalye po ako doon sa mga tanong, 'no, sa COA at saka BTr.

BTR, kasi ito… are you familiar with MC 97-002, Bureau of Treasury?

THE CHAIRPERSON. Bureau of Treasury, you are…

REP. PADUANO. Ah, iyon. Attorney.

THE CHAIRPERSON. You're a…Sino pa ang representative?

REP. PADUANO. Ah, iyan, kilala ko.

MR. JEREKKO A. CADORNA (Officer-in-Charge, Complaints and Investigation Division, Bureau of the Treasury). Good afternoon po, Your Honor.

REP. PADUANO. Attorney.

THE CHAIRPERSON. Paki-identify po ninyo pangalan ninyo.

MR. CADORNA. Your Honor, my name is Jerekko Cadorna from the Legal Service of the Bureau of the Treasury.

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THE CHAIRPERSON. Okay. Nag-oath na po ba kayo?

MR. CADORNA. Yes, Your Honor, earlier.

THE CHAIRPERSON. Okay.

REP. PADUANO. Bureau of Treasury, ganoon po. Kasi next hearing itatanong ko po ito in relation to all those special disbursement…disbursing officers, 'no, doon sa OVP at saka sa DEPED.

Now, kasi under Memorandum Circular 97-002, COA ito, ha, we're talking about the COA, MC 97-002. Now, in the previous hearing during the first…last year, iyong mga initial investigation with regards to LGUs in my Committee, question of requirements for the special cash advances, 'di ba, iyong MC 97-002.

Now, SDO, kasi isang requirement doon for the SDO to be qualified is to submit all their SALN, tama? Kaya lang, on the later period of last year, sabi naman ng COA—but not these people now representing COA—those COA representatives that attended those… my hearing during that time, iyong question of SALN daw tinanggal ninyo. Why?

MR. CADORNA. Your Honor, on the matter…

(MS. ROSALINDA C. NOCUM TOOK OVER)

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MR. CADORNA. (Continuing)...on the matter of the SALN requirement, the Bureau of the Treasury submitted its position paper before your Committee, Your Honor, dated 14 March 2024 as to the reasons for... for removing the SALN requirement in its latest circular which...

REP. PADUANO. Last noong March?

MR. CADORNA. Yes, Your Honor, before the...

REP. PADUANO. Now... na-discuss natin iyan. Now, are you still... are you still in your position to remove SALN as one of the requirements for SDOs?

MR. CADORNA. Actually, Your Honor, we may resubmit this position paper. But just to give an update regarding the initiatives of the Bureau of the Treasury to come up with a revised omnibus circular to consolidate all of its past Treasury circulars, we... we would...we humbly update the Honorable Committee and Your Honor, that the SALN requirement... rather the bonding officials is, in the latest draft of the... of the Treasury circular, would again be empowered to require the SALN as one of the supporting documents. But just to clarify, Your Honor, this is still a draft and it would still be up to the management of the Bureau of the Treasury to decide. But to give an update in the finalized draft from the technical working group, the bonding officials of the Bureau of the Treasury, particularly the provision of regional offices, is recommended to once again be empowered to require the SALN.

REP. PADUANO. Hindi. Kasi ganito, kayo Bureau of Treasury, kayo ang tumanggal noon, hindi ba? But that is still existing with regards to MC 92... ah, 97-002 sa COA Memorandum Circular. Sa inyo, tinanggal niyo. But doon sa requirements ng MC 97-002, it's still existing. It was never amended by... by the COA as part of their Memorandum Circular. Kaya...kaya ako, though it is a draft...kasi dito, itong investigation na ito with regards to the confidential fund in which...though may Joint Memorandum Circular 2015-001, but still the mother Memorandum Circular to be used 'no, to be used for bonded officers are still MC 97-002. Tama po, hindi ba, COA? May Joint Memorandum Circular kayo pero you're still using MC 97-002, hindi ba?

MR. CADORNA. Yes.

REP. PADUANO. Correct, hindi ba?

MR. CADORNA. For regular audit...

REP. PADUANO. No. Ito na naman, kasi ang pinag-uusapan natin dito is iyong Special Disbursement Officers. Hindi ba iyong requirements, we are still using, hindi ba? Tama? COA.

THE CHAIRPERSON. COA, Atty. Gloria.

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MS. CAMORA. Pag sa... pag confidential funds po, iyong joint circular po ang basis namin.

REP. PADUANO. Hindi. Iyong Joint Memorandum Circular 2015-001 should... should conform with MC 97-002. Ang pagkakaiba na doon, ito confidential fund, ito regular na fund or ito...it's either special audit or fraud audit, we are still using MC 97-002 when, in fact... when, in fact, COA dapat nga mas... mas istrikto tayo doon, eh, kasi confidential fund iyon, hindi ba? So, if you are not using MC 97-002 dahil doon sa ito, ito ay confidential fund, but MC 97-002 is just talking about Special Disbursement Officers, ang isang provision doon, hindi ba? So, dapat, dapat iyong appointment and recommendation of the head of office ay iyong mga requirements doon sa disbursement officers are still the same unless you amend also MC 97-002. Kasi we're talking here of the same SDOs, eh, hindi ba? We are not talking about... it's either confidential fund, it's either regular fund, we are not talking about fraud audit, regular audit or special audit. We are talking here about...my issue is all about iyong authorized accountable officers or Special Disbursement Officers, hindi ba?

Anyway, anyway, COA, you check na lang po kay Chairman. Pag-usapan ninyo para sa next hearing. Kasi noong nakaraan, tinanong na kita, Attorney... Atty. Gloria, sinabi mo it is still the mother MC being followed by COA. Tama? Tapos iyong sinabi mo... with regards to disbursement officers, ito, iyong Joint Memorandum Circular, dapat nagkatugma doon sa MC 97-002 with regards to requirements of SDOs.

MS. CAMORA. We will take it up po.

REP. PADUANO. Paki po kasi next hearing pag-usapan natin iyon, iyong sa OVP na SDO at saka sa DEPED na SDO.

Tapos, BTr, iyong question of ano, ha, accountability, fidelity bond kasi binigay kanina sa akin...so official iyon, sabi ni ComSec daw from your office kasi marami akong tanong doon, particularly the OVP, SDO at saka iyong DEPED SDO. Kasi iyong isa, 41,000 lang iyong salary niya pero we're talking about 112 million unless multimillionaire siya, eh, di dapat mag-reflect sa SALN niya, hindi ba?

THE CHAIRPERSON. Atty. Cardona.

MR. CADORNA. Your Honor, on that matter...

THE CHAIRPERSON. I'm sorry, Atty. Cadorna.

MR. CADORNA. Yes po. On that matter po, Your Honor, the Bureau of the Treasury actually submitted a position paper on a similar inquiry but pertaining to another matter. But before also the Honorable Committee on Good Government and

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Public Accountability as to the matter of the salary grad vis-à-vis the fidelity bonding and as to the rates of maximum accountability vis-à-vis the bond coverage.

With the indulgence of the Honorable Committee, we will submit this position paper once more on that matter.

REP. PADUANO. Paki po kasi next hearing pag-usapan natin iyan, pag-usapan natin iyan. Kasi nakita ko kanina, in a glance, eh, iyong Fajarda ba iyon, basta iyong SDO is only earning 41,000 a month pero we're talking about 112 million, hindi ba? Binigyan siya ng authority as SDO, 412 million, bakit 41 million lang? Eh, just in case pag may nangyari, ayun. So, anyway, pag-usapan natin next hearing. Paki-prepare na po pati iyong position paper ninyo. Pero ano na ba iyan, final na ba iyong position paper ninyo?

MR. CADORNA. It is final in the sense, Your Honor, that this was submitted by the Bureau of the Treasury on a... on a... before this Honorable Committee but on a different matter, but pertaining to the similar inquiries, Your Honor, the salary grade...

REP. PADUANO. So... so, can you submit now? Are you in liberty to submit it now to the Committee?

MR. CADORNA. Well, Your Honor, what I have right now is just a scanned copy. Just for the sake of professionality, Your Honor, I would have to... to transmit an original copy.

REP. PADUANO. Mr. Chairman, I move to direct the Bureau of Treasury to submit the documents with regard to their position paper as to the Special Disbursement Officers. SDO ba iyon?

MR. CADORNA. With regards, Your Honor, to the...

REP. PADUANO. With regards to?

MR. CADORNA. ...salary grades...

REP. PADUANO. Salary grades, accountability...

MR. CADORNA. ... accountability vis-à-vis the...

REP. PADUANO. ...and the maximum amount...

MR. CADORNA. Yes and the..

REP. PADUANO. ...fidelity bond.

MR. CADORNA. ... and the bond coverage as well.

REP. PADUANO. Okay. So moved, Mr. Chairman.

REP. CHEENO MIGUEL D. ALMARIO. Second.

THE CHAIRPERSON. Is there any second to the motion?

REP. SUAREZ. Second.

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THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

The Chair would like to recognize the Vice Chairperson, Honorable Crispin Diego Remulla from the 7th District of Cavite. Do I hear a motion to suspend the hearing from the Honorable Vice Chairperson…

REP. ACOP. Mr. Chair, Mr. Chair.

THE CHAIRPERSON. Yes. Before I recognize the Honorable Vice Chairperson, the Chair would like to recognize Honorable Congressman Acop…

(MS. JOSEPHINE F. AROMIN TOOK OVER)

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THE CHAIRPERSON. *(Continuing)…Honorable Congressman Acop.*

REP. ACOP. May I respectfully move that since the former Usec. Mercado provide the…provided us pieces of evidence that this evidence be marked? So moved, Mr. Chair.

THE CHAIRPERSON. Is there any?

REP. ALMARIO. Second.

REP. SUAREZ. Second, Mr. Chair.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried. Do I hear a motion to… *ano, mayroon pa ba?*

REP. ACOP. Mr. Chair, Mr. Chair.

THE CHAIRPERSON. Yes, Honorable Acop.

REP. ACOP. Since we are supposed to be at the Plenary at 1700 hours or five o'clock, may I move that we suspend the hearing of this Committee. So moved, Mr. Chair.

REP. PADUANO. Second.

REP. SUAREZ. Second.

THE CHAIRPERSON. *The…before I rule on the motion, the* ComSec is directed to mark the evidence. Is there any objection? Hearing none, the motion is carried.

The Committee hearing of the Committee on Good Government and Public Accountability is now suspended until the next…until the next scheduled hearing.

The meeting was suspended at 4:47 p.m.

CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

MARY JENELYN L. VASQUEZ
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ELISA P. DELOSO
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

Nocum
ROSALINDA C. NOCUM
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

Aromin
JOSEPHINE F. AROMIN
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

Preciosa V Baldonaza
PRECIOSA V. BALDONAZA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ANNEX "M"

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[illegible] - LAMG
RECEIVED
Name: TIN B.
Date and Time: 11/6/24

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

COMMITTEE ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY

DATE : 17 October 2024

TIME : 10:00 A.M.

VENUE : People's Center Building
House of Representatives
Batasan Hills, Quezon City

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REP. JOEL R. CHUA - **CHAIRPERSON**

ATTY. SHERYL CHRISTINE V. LAGROSAS - ACTING COMMITTEE SECRETARY

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The meeting was called to order at 10:18 a.m.

THE CHAIRPERSON. The Committee hearing of the Committee on Good Government and Public Accountability is now called to order.

Let us all rise for the invocation to be led by the Committee Secretary.

THE ACTING COMMITTEE SECRETARY. Let us put ourselves in the presence of the Lord.

In the name of the Father, and of the Son, and of the Holy Spirit.

Heavenly Father, we come before You today with humble hearts as we begin this congressional investigation. We ask for Your guidance and wisdom as we seek the truth and uphold the values of transparency, justice and accountability in governance. Bless each Member of this Committee with clarity of mind and integrity of spirit and a sincere dedication to the common good. Grant us the courage to ask the right questions, the patience to listen with discernment, and the wisdom to act in ways that honor the trust of the people deserve.

Lord, we lift up to You our nation and all those who are affected by the deliberations that will be held today. May this hearing be a step towards restoring confidence in public institutions in ensuring that governance remains a tool for the welfare and progress of all. Guide us, oh, Lord so that in all we do Your will be done and Your justice be reflected in all our actions for yours is the kingdom, the power and the glory now and forever.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Please remain standing for the singing of the national anthem.

Singing/Playing of the Philippine national anthem.

THE CHAIRPERSON. Puwede na po tayong umupo.

We will now proceed to the roll call of the Members.

Do I hear a motion to dispense with the calling of the roll?

REP. ROMEO M. ACOP. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Honorable Acop.

REP. ACOP. May I respectfully move that we dispense with the calling of the roll. So moved, Mr. Chair.

REP. JONATHAN KEITH T. FLORES. Second, Mr. Chair.

THE CHAIRPERSON. The motion is duly seconded. Is there any objection? Hearing none, the motion is carried.

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We will now proceed to the acknowledgement of Members.

The Chair would like to recognize the presence of Senior Deputy Speaker, the Honorable Aurelio "Dong" Gonzales, Jr. from the 3rd District of Pampanga; the Honorable Johnny Ty Pimentel, Vice Chairperson, from the 2nd District of Surigao del Norte; the Honorable Jonathan Keith Flores from the 2nd District of Bukidnon, and the Honorable Vice Chairperson, Honorable Romeo Acop, from the 2nd District of Antipolo City.

May I request the ComSec to please recognize the presence of the witnesses and resource persons.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

We have in attendance for today, from the Department of Education, Undersecretary for School Infrastructures and Facilities, Mr. Epimaco Densing III—Can you please take the seat in the panel? Thank you—Undersecretary for Curriculum and Teaching, Ms. Gina O. Gonong—Can you please take a seat in the panel, on the right side, Mr. Undersecretary? Here please. Thank you—Undersecretary for Procurement, Gerard L. Chan; Undersecretary for Finance Service, Project Management, Ms. Annalyn M. Sevilla; Major General Nolasco A. Mempin, retired Undersecretary; Undersecretary for Administration, Atty. Mel John L. Verzosa; Assistant Secretary for Operations, Bureau of Learner Support Services or BLRS, Mr. Dexter A. Galban; Assistant Secretary for Operations, Field Operations, Mr. Malcolm S. Garma; Assistant Secretary for Strategic Management, Ms. Cilette L. Co; Assistant Secretary for Curriculum and Teaching, Mr. Janir T. Datukan; Senior Education Program Specialist of Procurement Planning and Management Division, Ms. Arlyn J. Cabiten; Senior Education Program Specialist of Procurement Planning and Management Division of...*(for Human Resource Development)*, Schools Division Office, Manila, Ms. Mary Antonette T. Buñag; Chief Administrative Officer of Procurement Planning and Management Division of the Central Office, Ms. Maria Teresa Fulgar; former head of procuring entity, Mr. Michael Poa.

We now have for the Department of Budget and Management, Undersecretary Rolando U. Toledo. Joining him as well is Ms. Christine Love Morales, BMS II; Project Development Officer, Mr. Alexis Red Luis Irasga; division head, Ms. Rosario S. Nunez; Acting SvBMS, Ms. April Ann R. De Los Trinos; and SrBMS, Ms. Dior-Gene DR. Dela Fuente.

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From the Philippine Army, Your Honors, we have here Colonel Boransing, Lieutenant Colonel Magtangol Panopio, Major Rogelio A. Dumbrigue, Jr.; Retired Major General Adonis Bajao, sitting in the panel; Lieutenant Colonel Carlos B. Sangdaan, Jr.

From the Commission on Audit, we have here sitting in the panel, Atty. Gloria A. Camora; we have Mr. Fahad Bin Abdulmalik Tomawis, Audit Team Leader; we have Atty. Erwin E. Lapitan of the Legal Affairs Office, Legal Services Sector; Ms. Sofia C. Gemora, Director IV for the National Government Audit Sector or NGAS; State Auditor I, Audit Team Member, Ms. Zarah Jane M. Fegelan.

For the Bureau of the Treasury we have Ms. Conception S. Austria, OIC, NCR Regional Office; and Atty. Jerekko A. Cadorna.

If there is anyone that the Committee Secretary has failed to recognize, please approach the mic and introduce yourself, your designation and your agency.

Thank you.

THE CHAIRPERSON. Thank you, ComSec.

We will now move to the next item in our agenda, the approval of the minutes of the previous meeting.

Do I hear a motion to dispense with the reading of the minutes of the previous meeting and approve the same.

REP. JOHNNY TY PIMENTEL. Mr. Chair, I move to dispense with the reading of the minutes and subsequently for the approval of the said minutes.

REP. FLORES. Second, Mr. Chair.

THE CHAIRPERSON. The motion is duly seconded. Is there any objection? Hearing none, the motion is carried.

We will now proceed to the opening remarks.

Good morning and welcome to the third hearing of the House Blue Ribbon Committee on the Privilege No. 379 of Congressman Rolando M. Valeriano on asserting the power of the purse of Congress, and the *motu proprio* inquiry on the budget utilization of the Department of Education.

Conducting inquiries ay based sa discretion ng Kongreso at ito ayon sa ating Saligang Batas.

In fact, in the first and second hearings already conducted by the Committee, the following were seen: number one, gaps and abuses of Joint Circular No. 2015-01, dahil makikitang mas mahigpit pa ang COA Circular No. 97-002 sa cash advances

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kumpara sa Joint Circular No. 2015-001 ng confidential at intelligence fund; number two, irregularities in the utilization of confidential fund ng OVP; number three, rekomendasyong amyendahan ng COA ang policy ng 180-day period to appeal dahil ito ay mahabang masyado; number four, irregularity kung paano ginamit ang pondong inilagak sa OVP at DEPED halintulad na lang sa DEPED na hindi pala maayos na naipatutupad ang Last Mile Schools Projects pati ang School-Based Feeding Program kung saan madaming nasirang pagkain; at number five, rekomendsyong mag-submit ng SALN ang accountable officers and special disbursing officers, at iba pa.

Ang Kongreso...

(MS. MARIA ALYSSA A. PADILLA TOOK OVER)

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THE CHAIRPERSON. (Continuing)...Ang Kongreso ang guardian of public funds. Ang imbestigasyon ng government transaction is a proper exercise of the power of inquiry. Kabilang sa mga transaksiyong ito ang government agencies created by Congress and officers, whose positions are within the power of Congress, to regulate, or even abolish, since Congress has authority to inquire into the operations of the Executive Branch. It would be incongruous to hold that the power of inquiry does not extend to Executive officials who are the most familiar with and informed on Executive operations. Nararapat lamang na maipatawag ang mga empleyado ng Executive na mas nakakaalam ng mga transaksiyong pinasok nila.

The power of inquiry, with process to enforce it, is grounded on the necessity of information in the legislative process. If the information possessed by Executive officials on the operation of their offices is necessary for wise legislation on that subject, by parity of reasoning, Congress has the right to that information and the power to compel the disclosure thereof. It also follows that non-compliance and unjustified baseless refusal with congressional inquiries is tantamount to a violation of the Constitution.

Kung sa kaso nga ng Standard Chartered Bank versus Senate Committee on Banks, Financial Institutions and Currencies, 2007, the Supreme Court recognized that the Senate Committee on Banks summoned Standard Chartered Bank merely as resource persons or as witnesses. In a legislative inquiry, hindi bilang akusado sa isang criminal case nor will they be subjected to any penalty by reason of their testimonies. Dahil dito, hindi nila puwedeng balewalain ang pagharap sa Komite ng Senado. Hindi rin sapat na dahilan na dahil may kinabinbin nang kaso sa korte ay hindi na sisipot sa pagdinig ng Kamara.

Sa 2009 Case of Romero versus Estrada, the Supreme Court emphasized that the inapplicability of the *sub judice* rule to inquiries in aid of legislation is not limited to criminal or administrative cases. It can be extended to appealed cases and special civil actions awaiting final disposition before the Supreme Court. Otherwise, it would be extremely easy to subvert any intended inquiry by Congress through the convenient ploy of instituting a criminal or an administrative complaint. Surely, the exercise of sovereign legislative authority, of which the power of legislative inquiry is an essential component, cannot be subordinate to a criminal or administrative investigation.

This doctrine in Standard Chartered Bank has been adopted in Section 1 of the 19th Congress published Rules of Procedure governing inquiries in aid of

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legislation. To wit, the filing of pendency of a case before any court, tribunal, or *quasi*-judicial or administrative body shall not stop or abate any inquiry conducted to carry out a legislative purpose.

Kung tungkol naman sa karapatan ng mga witnesses that include among others the right to due process, the right against self-incrimination, as well as the right to privacy of communications and correspondence of a private nature, the late Father Joaquin G. Bernas noted that since these rights are already enshrined in the Bill of Rights, the requirement under Section 21, Article VI of the Constitution does not really create any additional constitutional right. Ito ang totoong karapatan. Karapatan ng mamamayan na malaman saan at paano ginastos ang kaban ng bayan. Bilang public officials, hindi ba nararapat lamang na ating sagutin ang mga katanungang ito. Hindi ba at nasa Constitution na, "Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives?"

Kaya aking hinihikayat ang iba pang kawani ng pamahalaan na may kinalaman at kaalaman tungkol sa mga transaksiyong ating sinisiyasat na lumabas na at lumapit sa House Blue Ribbon Committee upang tulungan tayong ilabas ang katotohanan sa paggamit ng pondo ng bayan upang magamit ito sa mga mas may katuturang bagay. Hindi nararapat na ang sambayanang umaako ng buwis pa ang maghihirap malaman ang katotohanan. We owe it to the Filipino people to render accounts.

I move on to the Committee Secretary to provide the Committee an update on the invitations, requests, correspondence, submissions, and compliance.

THE ACTING COMMITTEE SECRETARY. Before that, Your Honor, may I also recognize Assistant Secretary for Procurement of the Department of Education, Mr. Reynold Munsayac, and Ms. Xylene Mae L. Del Campo from the Commission on Audit, State Auditor.

Now, for the updates, the Committee Secretariat has sent invitations via electric mail to all the agencies. To OVP, we have received their reply to the show cause order that was duly issued and served previously. For the Commission on Audit, they have submitted and complied with the *subpoena duces tecum* issued by the Committee on September 25, 2024. For the Bureau of Treasury and the DBM, no...DBM also submitted and complied with the previous requirement to submit

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documents relating to the confidential fund of the OVP. And no additional submissions from the other agencies, Your Honor.

Update as well, Your Honor, for the show cause order issued, at present, the Secretariat notes the absence of Mr. Edward Fajarda, as well as the new invitee as spouse of Mr. Edward Fajarda, Ms. Sunshine Fajarda. Some of the additional invitees as well for the Department of Education are not present, or the Committee Secretariat has not been informed of their presence, particularly, Atty. Brady De Castro, Atty. Resty Osias are not here today, Your Honor.

Pardon, Your Honor, Mr. Resty Osias is present.

THE CHAIRPERSON. Sino?

THE ACTING COMMITTEE SECRETARY. Atty. Resty Osias.

For all our guests and resource persons and witnesses, if you have not been recognized, kindly approach the mic, introduce yourself, and your agency, and your designation. Thank you.

Please take your sit, Atty. Osias. Thank you.

MR. OMAR ALEXANDER V. ROMERO (Undersecretary, Legal and Legislative Affairs, Department of Education). Mr. Chair, just registering my attendance. I am former Undersecretary Omar Romero, formerly Usec for Legal of DEPED. I was invited also, but I have yet to be acknowledged, Mr. Chair.

THE CHAIRPERSON. Thank you. Were we able to issue *subpoena ad testificandum* to the resource person that we invited subject of the show cause order?

THE ACTING COMMITTEE SECRETARY. No, Your Honor. No issuances for *subpoena ad testificandum* yet, Your Honor.

THE CHAIRPERSON. Do I hear a motion from any Member for the issuance of a *subpoena ad testificandum* to the resource persons that we invited or subject of…subject of show cause order, and yet, they refused to attend and recognize this Committee?

REP. FLORES. Mr. Chair.

THE CHAIRPERSON. Yes, Honorable Flores.

REP. FLORES. I move that we issue a *subpoena ad testificandum* to the persons named by the ComSec, those who were issued the show cause orders.

THE ACTING COMMITTEE SECRETARY. Okay. Your Honors, may I be recognized, Your Honor?

THE CHAIRPERSON. Yes, ComSec.

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THE ACTING COMMITTEE SECRETARY. The individuals who were previously issued show cause orders were Atty. Zuleika T. Lopez, Atty. Lemuel Ortonio, Atty. Rosalina Sanchez, Ms. Gina F. Acosta, Ms. Julieta Villa Del Rey, and Mr. Edward Fajarda, Your Honors.

THE CHAIRPERSON. So, those will be…those persons or resource persons are subject of the show cause order?

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

THE CHAIRPERSON. Okay. So, do I hear a second to the motion of the Honorable Keith? Duly seconded. Is there any objection? Hearing none, the ComSec is ordered to issue a *subpoena ad testificandum* to the following resource person…

VOICES. Five.

THE CHAIRPERSON. …five resource persons, namely…

THE ACTING COMMITTEE SECRETARY. Pardon, Your Honor, six, Atty. Lopez, Atty. Ortonio, Atty. Sanchez, Ms. Acosta…

(MS. LORILYN E. DE CASTRO TOOK OVER)

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THE ACTING COMMITTEE SECRETARY. (Continuing)...Ms. Acosta, Ms. Villadelrey and Mr. Fajarda.

THE CHAIRPERSON. Okay.

And may I also request that a bulletin or lookout bulletin order be issued as well *in coordination with the Bureau of Immigration and DOJ.*

THE ACTING COMMITTEE SECRETARY. Noted, Your Honor.

THE CHAIRPERSON. Okay.

Mayroon pa po ba kayong mga concern? Wala na po.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. We will now...on that note, let us now proceed.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Honorable Acop.

REP. ACOP. In the second hearing that we have had, I think, we have required the Department of Budget and Management to provide a copy of the letter request from the Office of the Vice President for the release of contingent funds and some request for personal services and maintenance and operating expenses in 2022. Was this complied?

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

REP. ACOP. Thank you. Yeah, DBM.

May I know if the Commission on Audit which was required to submit the following: a copy of the letter sent by the OVP through Atty. Lopez instructing the COA not to comply to the *subpoena duces tecum* issued by the House Committee on Appropriations?

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor, also complied by the Commission on Audit.

REP. ACOP. Documents related to the OVP's liquidation of the 125 million Confidential Funds.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor, complied.

REP. ACOP. Documents related to the purchase of information including details about how the 14 million pesos was spent and for what information.

THE ACTING COMMITTEE SECRETARY. Complied as well, Your Honor.

REP. ACOP. Documents related to the payment of cash reward including details about the recipients and purpose of the rewards.

THE ACTING COMMITTEE SECRETARY. Complied as well, Your Honor.

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REP. ACOP. Documents related to the OVP safe houses including the number of safe houses, their locations and maintenance cost.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. Documents related to the purchase of supplies including details *about suppliers and contractors.*

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. All attachments and documents related to the Notice of Disallowance issued by the Commission on Audit regarding the OVP's budget.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor,

REP. ACOP. And the audit action in this case the Notice of Disallowance and the liquidation report for the OVP's Confidential Funds.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. All supporting documents related to the Office of the Vice President's Confidential Funds as deemed necessary by the COA Intelligence and Confidential Fund Audit Unit for proper evaluation of the liquidation documents submitted.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. Documents related to the OVP's purchase of supplies including details about suppliers and contractors.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. Documents related to the OVP's provision of medical and food aid including details about the recipients and the specific types of medical supplies and food.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. Documents related to the OVP's surveillance activities including details about the specific areas where these or where those activities were conducted.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. And data on the extent of the proper implementation of the School-Based Feeding Program including the amount of funds affected.

THE ACTING COMMITTEE SECRETARY. Complied, Your Honor.

REP. ACOP. Now, for COA's Mr. Fahad Bin Abdul Malik Tomawis, he was required to submit the following or the rental data for the OVP's head office, 10 satellite offices and 2 extension offices including the square footage of its office space, lease

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commencement dates and a breakdown of rental cost for each type of rental. Was this submitted by Mr. Tomawis?

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

REP. ACOP. Thank you.

Now, COA's Atty. Gloria A. Camora was required to submit the following or was submitted to…was required to submit copies of the rental or lease agreement for the 10 satellite offices and 2 extension offices of the Office of the Vice President.

THE ACTING COMMITTEE SECRETARY. Complied as well, Your Honor.

REP. ACOP. The Bureau of Treasury, Mr. Cadorna, was required to submit a position paper on the salary grades, accountability and fidelity bond coverage for SDOs or special disbursement officers.

THE ACTING COMMITTEE SECRETARY. Complied as well, Your Honor.

REP. ACOP. Thank you.

And Mr. Reynold Munsayac to submit records of the conversation he had to Usec. Mercado and other DEPED officials during the lunch meeting in Linden Suites.

THE ACTING COMMITTEE SECRETARY. Not yet, Your Honor.

REP. ACOP. Not yet.

And, lastly, Mr. Chair, Mr. Dexter A. Galban was required to submit the following: a full report of the actions taken by DEPED to address the issues flagged by the COA regarding the School-Based Feeding Program, a list of the suppliers involved in such program, a report on the issues encountered in the program's implementation in previous years and data on the number of schools and students affected by the lapses in implementation. Did Mr. Dexter Galban, DEPED Assistant Secretary for Operations, submit these requirements, Mr. Chair?

THE ACTING COMMITTEE SECRETARY. At present, Your Honor, the Secretariat is not in receipt of said documents.

REP. ACOP. He has not submitted.

THE ACTING COMMITTEE SECRETARY. None to the knowledge of the Secretariat, Your Honor. None in the email as well, Your Honor.

REP. ACOP. Thank you.

Is Mr. Munsayac present, I think?

THE ACTING COMMITTEE SECRETARY. Yes.

REP. ACOP. Do you know of this requirement?

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MR. REYNOLD S. MUNSAYAC (Assistant Secretary for Procurement, Department of Education). Your Honor, to be honest, I just learn of this requirement today. I did not receive any order or document or email required me to submit this, Your Honor.

REP. ACOP. Now you know that you were required to submit records of that conversation. Could you…

MR. MUNSAYAC. Yes, Your Honor, I will comply, Your Honor.

REP. ACOP. Thank you.

Now, Mr. Dexter Galban, is he around?

THE ACTING COMMITTEE SECRETARY. Yes.

Please take your seat.

REP. ACOP. Mr. Galban, did you know of this requirement for you to submit certain documents?

MR. DEXTER A. GALBAN (Assistant Secretary for Operations, Bureau of Learner Support Services, Department of Education). Yes, Mr. Chair.

REP. ACOP. And may I know the reason why you haven't complied with this requirement?

MR. GALBAN. We are confirming as we have already prepared the reports prior. We shall confirm with the team for the transmittal of the documents because we already prepared the answers for such, Mr. Chair. We do hope to transmit while this Committee is ongoing.

REP. ACOP. In other words, you are going to submit the required documents today.

MR. GALBAN. We will check, Sir, if there was a problem in the transmission.

REP. ACOP. My question is, are you trying to tell us that you will submit the documents required today?

MR. GALBAN. Yes, Mr. Chair.

REP. ACOP. Thank you.

Mr. Chair, marami pong salamat for the administrative requirements. Thank you.

THE CHAIRPERSON. Okay.

Mayroon pa po bang ibang gustong mag-manifest? Wala na po.

We will now proceed to the continuation of the deliberation and interpellation. But before we proceed, the Chair would like to recognize the presence of the

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Honorable Senior Vice Chairperson, the Honorable Bienvenido M. Abante, Jr. from the 6th District of Manila, the Honorable Ernesto M. Dionisio, Jr. from the 1st District of Manila and the Honorable Gerville R. Luistro from the 2nd District of Batangas.

THE ACTING COMMITTEE SECRETARY. Your Honor, I would also like to recognize, with the pleasure of the Members, new resource persons: Director IV Haide Espuelas from the Commission on Audit and from the Department of Education, Director IV and BAC VI Chairperson Atty. Resty Osias.

Thank you.

THE CHAIRPERSON. Okay.

Before we proceed to the interpellation proper, may I request the ComSec to please administer the oath of the new invitees.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

To all the new resource persons invited and present today, kindly stand up and raise your right hand. All members of the Philippine Army as well. Sirs, please stand up. Even those in the panel, newly invited. Sir.

At this juncture, the resource persons stood up to take their oath.

THE ACTING COMMITTEE SECRETARY. All right.

Please raise your right hand.

Do you solemnly swear that the statements you will give before this Committee shall be the truth, the whole truth and nothing but the truth, so help you God?

VOICES. Yes.

THE ACTING COMMITTEE SECRETARY. The oath has been administered, Your Honor.

THE CHAIRPERSON. Thank you.

We will now proceed. The first to interpellate, the Honorable Romeo Acop.

Yes, Sir.

REP. ACOP. Thank you, Mr. Chair.

And magandang umaga po sa ating lahat.

Mr. Chair, I would just like to proceed or continue my interpellation in the second hearing. For COA, kasi in the last hearing, COA...Atty. Camora...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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REP. ACOP. (Continuing)...Atty. Camora, are you...yes, kayo po ang sumagot noong tinanong ko kung iyong Confidential Funds sa...of the Office of the Vice President were liquidated in accordance with the protocol provided for by the joint circular. Kayo po ang sumagot doon, 'di po ba? At sinabi po ninyo na, "The liquidation was done in accordance with the protocol provided by the circular." Totoo po ba iyon?

THE CHAIRPERSON. Atty. Camora.

MS. GLORIA A. CAMORA (Attorney V, Intelligence and Confidential Funds Audit Office, Commission on Audit). Ah, that is true po...

REP. ACOP. That is true.

MS. CAMORA. ...Mr. Chair.

REP. ACOP. Okay.

And...Kayo ho ba ay sumasang-ayon sa akin na iyong liquidation is merely a documentary checklist and does not actually show that the expenses are actually reasonable or even true? Would you agree with that?

MS. CAMORA. Ah, I would have to agree, Mr. Chair.

REP. ACOP. Paki-ulit po.

MS. CAMORA. Ah, agree po. It's documentary...It's a...

REP. ACOP. Do you agree with my statement, Madam?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Thank you.

And would you agree also that the Confidential Funds of the Office of the Vice President are public funds?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Thank you.

And would you agree that COA or the Commission on Audit, your agency, is the agency or government agency which is supposed to be the guardian to see to it that public funds are spend properly?

MS. CAMORA. Ah...

REP. ACOP. Would you agree with that also?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Thank you.

Now, since you have stated that the Office of the Vice President liquidated the...its Confidential Funds required...as required under joint circular, would you also

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agree with me that the accomplishment report provided by the Office of the Vice President were 100 percent implemented?

MS. CAMORA. Ah, Mr. Chair, what do you mean by 100 percent implemented po?

REP. ACOP. Na-implement ba iyong pag-liquidate noong amount of 125 million as Confidential Fund of the Office of the Vice President?

MS. CAMORA. Yes, Mr. Chair. The entire 125 million was liquidated.

REP. ACOP. And would you agree with me that the documentary pieces of evidence submitted by the Office of the Vice President were merely acknowledgement receipts? Would you agree with me?

MS. CAMORA. The documentary evidence of payment, yes, Mr. Chair.

REP. ACOP. Yes. And could you give me, ah, the specifics insofar as the acknowledgment receipts submitted for the expenses, insofar as the Confidential Funds of the OVP's concerned? Could you give us? How much is for the rental of safe houses? How much would be the amount for purchase of information?

MS. CAMORA. For...

REP. ACOP. Do we have the number of acknowledgment receipts submitted by the OVP?

MS. CAMORA. Ah, for what account, Mr. Chair?

REP. ACOP. Rental of safe houses.

MS. CAMORA. For rental for the period fourth quarter 2022 po?

REP. ACOP. Yes.

MS. CAMORA. It's 16 million po, Mr. Chair.

REP. ACOP. Rental of safe houses?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. The rental is for 11 days?

MS. CAMORA. Ah...

REP. ACOP. Would you agree with me?

MS. CAMORA. Yes, Mr. Chair, since the accomplishment report...

REP. ACOP. Pursuant to...

MS. CAMORA. ...provides.

REP. ACOP. ...the accomplishment report. Did...Iyong amount for the rental of safe houses were paid for 11 days?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Tama po?

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MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. How about...And how many acknowledgement receipts were submitted for this?

MS. CAMORA. Ah, Mr. Chair, for rental of safe houses, we received 34 acknowledgment receipts.

REP. ACOP. How about for trans pec...transportation expense, what was the amount and the number of acknowledgment receipts submitted for its liquidation?

MS. CAMORA. Ah, for transportation, its 10 million, and number of recipients is 72.

REP. ACOP. Seventy-two acknowledgment receipts?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, for purchase of information, the same requirement?

MS. CAMORA. Mr. Chair.

REP. ACOP. Ilan pong...Ilan pong...Magkano po iyong sa purchase of information?

MS. CAMORA. For the purchase of information based on the documentary evidence of payment, its 14 million, and the number of recipients is 142, Mr. Chair.

REP. ACOP. Okay. And for...there are two items for rewards—for medicines and various goods. Tama po?

MS. CAMORA. Ah, Mr. Chair, there are actually three.

REP. ACOP. Three?

MS. CAMORA. It's payment of reward, payment of reward medicines, and payment of reward various goods.

REP. ACOP. What would be the amount allotted for each of the three?

MS. CAMORA. Based on the documentary evidence of payment: for payment of reward, it was 10 million 50 thousand...

REP. ACOP. For medicines iyon?

MS. CAMORA. For reward lang po.

REP. ACOP. For reward lang. Ten million...

MS. CAMORA. Fifty thousand.

REP. ACOP. Okay.

MS. CAMORA. Ah, for the payment of reward medicines, it's 24 million 930...930 thousand.

REP. ACOP. And for the third?

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MS. CAMORA. And for the payment of reward various goods, it's 34 million 850 thou…857 thousand, Mr. Chair.

REP. ACOP. Thank you.

Ah, ComSec, puwede po bang…ComSec, puwede po bang pakita natin iyong sample ng acknowledgment receipt for the payment of rental of safe houses?

Nakikita ninyo Atty. Camora iyong sample o iyong actual acknowledgment receipts na sinabmit *(submit)* ng OVP with the names blocked…shall we say not shown because of confidentiality. Tama po ba ito?

MS. CAMORA. Ah, yes, Mr. Chair.

REP. ACOP. Is there an acknowledgment receipt which acknowledge the amount of 500,000 pesos for the payment of rental of safe house?

MS. CAMORA. I will check, Your Honor.

Ah, Mr. Chair, may I ask the question again?

REP. ACOP. Mayroon po bang acknowledgment receipt amounting to 500,000 for the payment of rental of safe house?

MS. CAMORA. Mayroon po, Mr. Chair.

REP. ACOP. Ah, para sa isang safe house lang ito?

MS. CAMORA. Ah, we have no information, Mr. Chair. What we know is para sa isang recipient noong…iyong money paid po.

REP. ACOP. If I ask you the question, iyong 500,000 ba iyon for 11 days or for one day?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Ano po ang yes, one day or 11 days?

MS. CAMORA. Ah, since the accomplishment report says December 21 to 31, we think it's one…11 days.

REP. ACOP. For 11 days?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. For a single safe house?

MS. CAMORA. We have no information on how many safe houses that 500,000 was spent on, Mr. Chair.

REP. ACOP. Sabi ninyo kanina, "Rental of safe houses in the amount of 16M with 34 acknowledgment receipts." Is it logical…

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REP. ACOP. (Continuing)... logical for me to conclude na 34 safe houses ito?

MS. CAMORA. Mr. Chair, it just means that 34 people were paid for rental supplies, but we have no...

REP. ACOP. Hindi. Rental of safe houses, hindi po rental of supplies.

MS. CAMORA. Sorry, Mr. Chair.

REP. ACOP. Bakit...

MS. CAMORA. Pardon.

REP. ACOP. ...para bang, iha, noong last time na kinukuwestiyon kita, you were very, very confident. Eh, ngayon parang tentative iyong mga sagot ninyo sa akin. May I know why? Noong last time, very, very confident kang sumasagot sa aking mga katanungan. Eh, ngayon, very tentative ka and very, very careful ang pagsagot mo sa akin. May I know the reason why?

MS. CAMORA. There's no reason, Mr. Chair.

REP. ACOP. There's no change?

MS. CAMORA. Yes.

REP. ACOP. Eh, hindi mo mapapansin iyon. Ako ang nakakapansin kasi ako ang nagtanong sa iyo last time, at ako pa rin ang nagtatanong sa iyo ngayon, and I notice the change.

Now, iyong 34 acknowledgment receipts given by 34 persons, hindi ba nangangahulugan iyon 34 na safe houses iyon?

MS. CAMORA. Yes, Sir. There's information that one receipt may pertain to one safe house.

REP. ACOP. Safe house. Okay. So, if I ask you, iyong receipt na amounting to 500,000 for the payment of rental of safe house, would it be logical for me to conclude na this is for one safe house for 11 days?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Para sa 11 days iyong 500,000 para sa isang safe...iisang safe house?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, if I ask you, how much would that be per day para sa isang safe house?

MS. CAMORA. Mr. Chair, it would amount to 45,000 something... 45,454.55 per day.

REP. ACOP. Forty-five thousand?

MS. CAMORA. Yes, Mr. Chair.

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REP. ACOP. Per day. Ano po kayang klase safe house ito na 45,000 per day ang rental? Samantalang iyong mga ibang magagandang lugar, eh, mas mura pa kesa rito sa 45,000? Could you give us an idea of that?

MS. CAMORA. Mr. Chair, we do not have information on the safe houses.

REP. ACOP. Anong... why do you say you do not have any information about the safe houses?

MS. CAMORA. Since you were asking po...

REP. ACOP. Hindi ninyo alam kung high class na safe house...

MS. CAMORA. No information, Mr. Chair.

REP. ACOP. You do not. Eh, kasi nakapagtataka lang po na ang safe house per day would be rented with 45,000 for one safe house, hindi po ba? Hindi kayo nagtataka?

MS. CAMORA. Yes, Mr. Chair. But, since they have submitted the liquidation reports po...

REP. ACOP. So as long as an agency would submit iyong mga receipts or acknowledgment receipts and their liquidation of the amount, wala na po kayong... you do not have the—shall we say—the wherewithal or the jurisdiction to find out whether the expenditures are reasonable or true? Are you trying to tell us that?

MS. CAMORA. It's more on the submission of the...

REP. ACOP. It's more on compliance...

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. ...with the requirement. Iyon lang?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. And you are supposed to be the guardian of the use of public funds.

MS. CAMORA. Mr. Chair, one of the... one of the documents is their certification. So...

REP. ACOP. So, iyon, that is enough?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. And you're not... you do not determine whether it's reasonable or true?

MS. CAMORA. Since it is compliance, we often do not.

REP. ACOP. Okay. Iyon pong pag-comply ng Office of the Vice President, as you have stated a while ago, eh, in accordance doon sa joint circular, in the amount of 125 million. So, ang ibig ninyo pong sabihin, nag-submit iyong Office of the Vice

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President ng liquidation report, physical and financial plan, documentary evidence of payment at saka accomplishment report, okay na po sa inyo iyon?

MS. CAMORA. We still review the documents reported, Mr. Chair.

REP. ACOP. And what is your objective when you review the documents?

MS. CAMORA. Whether...

REP. ACOP. Ano po ang tinitingnan ninyo sa dokumento?

MS. CAMORA. Whether compliant po siya, Mr. Chair, sa requirements under the joint circular...

REP. ACOP. Kaya nga. Tiningnan ninyo lang kung iyong documents would comply with the joint circular?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. And you do not determine whether kasinungalingan na, totoo o hindi iyong nakalagay doon po sa document. Are you trying to tell this Committee that?

MS. CAMORA. Mr. Chair, we have issued an ND on the...

REP. ACOP. Hindi. Sagutin ninyo muna po iyong aking katanungan. Para bang ang sinasabi ninyo dito sa amin, dito sa Committee na ito na nag-iimbestiga, na basta't nakompleto po iyong mga dokumento required by the joint circular, okay na sa inyo. Pero sinabi ninyo na nire-review ninyo iyong documents. Ano po iyong hinahanap ninyo doon sa dokumento na it is also in accordance with form and substance. Ganoon po ba?

MS. CAMORA. Yes, Mr. Chair, since prescribed din po sa joint circular ang forms...

REP. ACOP. Yes.

MS. CAMORA. And...

REP. ACOP. And you do not determine whether kasinungalingan, may katotohanan iyong nakalagay po doon?

MS. CAMORA. We check the certification. As long as the certification is there, Mr. Chair.

REP. ACOP. Hindi naman po ninyo sinasagot ang katanungan ko, eh. Doon sa pagre-review ninyo, hindi kasali na i-review ninyo kung puwedeng totoo iyong nilalagay doon o hindi?

MS. CAMORA. Mr. Chair, iyong ano lang po, submission lang po talaga.

REP. ACOP. Kaya nga, form and substance lang.

MS. CAMORA. Yes, Mr. Chair.

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REP. ACOP. Okay. Whether it's unreasonable, out of this world, you do not care.

MS. CAMORA. Unless it's really, really far-fetched. But, Mr. Chair, it's more on submission po talaga ng documents required.

REP. ACOP. Yeah. Sige. Iyong… I would just like to state na in the last hearing, you confirmed that the liquidation report, all the documents supposed to be submitted in accordance with the joint circular in the amount of… for the amount of 125 million, nakalagay doon iyong 14 million for the purchase of information, pero walang detalye, ano iyong mga impormasyon na iyon, or it does not even show how important those informations were, worth 14 million, iyong 35 million for supplies na ginamit in 11 days. Hindi po kataka-taka iyon?

MS. CAMORA. Mr. Chair.

REP. ACOP. Thirty-five million for supplies in 11 days. Hindi po kayo nagtaka doon?

MS. CAMORA. As long as they submitted po the…

REP. ACOP. Eh, wala ngang mangyayari sa atin.

MS. CAMORA. …acknowledgment receipts.

REP. ACOP. So long as they submit the acknowledgment receipts?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Okay.

MS. CAMORA. Further, Mr. Chair, iyong accomplishment report, it does not require further details po and it is the only form under the joint circular…

REP. ACOP. Okay. Hindi ko na po tinatanong…

MS. CAMORA. …which they are required.

REP. ACOP. …kasi kung ganito po iyong inyong patakaran, eh, wala nga po kayong mababantayan, hindi po ba?

MS. CAMORA. Mr. Chair, kaya po meron po silang certification, iyong head of agency.

REP. ACOP. Pero may certification but you do not even determine whether the contents of the said certification are reasonable or not. Whether they are true or not…

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REP. ACOP. (Continuing)...true or not. You do not determine that.

MS. CAMORA. Yes, Mr. Chair...

REP. ACOP. Yes.

MS. CAMORA. ...given the nature of the fund po.

REP. ACOP. Yeah. Kagaya ng 40 million for medical and food aid, ilan kayang informant ang ginamot at binigyan ng gamot in 11 days? Thirty-five million. Hindi po kayo nagtataka?

MS. CAMORA. For supplies po...

REP. ACOP. Yes. Hindi po ba ang report ninyo kanina for...

MS. CAMORA. ...there were 69 recipients.

REP. ACOP. ...medical and food aid, 40 million, hindi po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. And for 11 days, to be spent for medicine...medical aid. Hindi kayo nagtataka paano na-spend iyon in 11 days, five of which are holidays?

MS. CAMORA. Mr. Chair, given the nature of the fund, it's confidential so...

REP. ACOP. Doon po kayo bumabalik doon sa nature of the fund palagi, eh.

MS. CAMORA. Otherwise, Mr. Chair...

REP. ACOP. Iyon ang napapansin ko na...so, doon kayo nagko-cover. Pero, definitely, your job is to see to it that public funds are spent properly. I asked you that.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Now, may I ask you, personally, are you safeguarding the expenditure of public funds insofar as your job is concerned?

MS. CAMORA. I would like to think so, Sir, yes.

REP. ACOP. You would like to think so, okay. So, wala nga tayong kuwan...mangyayari. In other words, we can or the COA relies only on the documentary evidence of payment, mainly. Tama po?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Iyon lang ang basehan ninyo?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. And iyong documentary evidence of payment, whether it is a lie, a truth, reasonable or unreasonable, you do not care?

MS. CAMORA. We...

REP. ACOP. That is what you're trying to tell us.

MS. CAMORA. It is...since it's just compliance, Sir, we...

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REP. ACOP. Kaya nga. In other words, para bang ang sinasabi ninyo sa akin—I do not know how my other colleagues would take that—pero parang ministerial na lang iyong trabaho ninyo pala.

MS. CAMORA. If we read through the…

REP. ACOP. Yes.

MS. CAMORA. …Joint Circular, Sir.

REP. ACOP. That is what you're trying to tell me. Okay. Ministerial lang pala iyong trabaho ninyo. Masarap na trabaho iyan, ah, hindi po ba?

Iyong…'pag tingnan natin ang Liquidation Report, ang nakalagay lang dito ay ginastos ng Office of the Vice President the amount of 125 million from December 21 to 31, 2022 or 11 days and this was certified by the Vice President, by the Special Disbursing Officer, Madam Gina Acosta, and the Chief Accountant, Madam Julieta Villa Del Rey. Would that be correct?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, kung babase naman po tayo doon sa Accomplishment Report, ang makikita lang natin dito ay gumastos ang Office of the Vice President ng 125 million from December 21 to 31, 2022 for surveillance and monitoring activities in hundred thirty-two areas. Dito rin, wala tayong magawa. Kagaya ng sagot po ninyo sa akin, we have no choice but to check the documentary evidence of payments submitted by the office para malaman kung saan or paano ginastos ng OVP iyong 125 million. Iyon po iyong pinararating ninyo po sa amin.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. So, iyong titingnan po natin talaga is kuwan, eh, iyong pinakita natin na acknowledgment receipt, ganiyan lang talaga ang format?

MS. CAMORA. That is what…

REP. ACOP. Nakalagay lang ang amount, pangalan at signature ng tumanggap, at date kung kailan niya ito natanggap. That is it.

MS. CAMORA. Yes, Mr. Chair. Iyon iyong sinabmit (*submit*) po nila sa amin.

REP. ACOP. And COA does not try to determine kung sino man iyong taong iyon, existing ba siya o hindi? You do not.

MS. CAMORA. No, Mr. Chair. No…

REP. ACOP. No. Thank you, para lang for my information. So, you do not have any means or you do not exert any means para ma-determine kung totoo iyong mga nakalagay sa acknowledgment receipt. You just take it hook, line and sinker na totoo po iyon.

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MS. CAMORA. Mr. Chair, probably we could, but given the limited manpower po of the ICFAO...

REP. ACOP. Ni walang ID iyong tao na sinasabmit (*submit*)?

MS. CAMORA. No, Mr. Chair.

REP. ACOP. No, wala. Talagang sikretong-sikreto.

MS. CAMORA. What was submitted to us, that is what we audit, Mr. Chair.

REP. ACOP. Okay. Puwede ko rin ba i-conclude na walang paraan ang COA para malaman kung gawa-gawa lang ang acknowledgment receipts na ito?

MS. CAMORA. If we base it on the Joint Circular, it is no...

REP. ACOP. Hindi. Paki sagot ninyo po iyong aking katanungan. Hindi ko po tinatanong iyong tungkol sa Joint Circular or whatever. Ang katanungan ko po, eh, wala pong paraan na magagawa ang COA para malaman kung gawa-gawa lang ang mga acknowledgment receipts na sinabmit (*submit*). Would my statement be correct?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. I beg your pardon. Tama?

MS. CAMORA. Tama po.

REP. ACOP. Okay. Sa madaling salita, kahit na sabihin nating hindi naman talaga natanggap ng isang tao iyong amount of 500,000 for the payment of the safe houses, kagaya ng nakalagay kanina, hindi ito...hindi talaga sinusuri ng COA ito? Talagang hindi kasama sa inyong job description na suriin ito, in spite of the fact na sinabi ninyo kanina na nire-review ninyo naman iyong mga dokumentong ito. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Actually, *hija,* hindi ito ang aking pinagkakabahala, eh. Kung tutuusin natin, at least, kung nakalagay diyan Juan dela Cruz ang full name, pero may nakikita akong acknowledgment receipt sa mga sinabmit (*submit*) po ninyo na initials lang ang nakalagay instead na, for example, Juan dela Cruz, J Cruz lang ang nakalagay na tumanggap ng amount of 500,000 for the payment of safe houses mula sa Office of the Vice President.

Kung ganitong proof lang ang papasa na sa COA, wala na talaga kayong paraan para matanong iyong taong tumanggap ng pera. Hindi po ba?

MS. CAMORA. Yes, Mr. Chair. It is really iyong 'pag sa intel and confi fund po, there's no verification. Also, even if we have means right now, iyong manpower po ng ICFAO cannot handle if...let alone itong si OVP, we cannot verify all those people and we audit all confidential and intelligence funds for the whole country. So, hindi po kaya for now, Mr. Chair.

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REP. ACOP. You did not find it, shall we say, unusual for an amount or the amount of 125 million ay magamit po sa 11 days?

MS. CAMORA. Well, personally, malaki nga po siya. But…

REP. ACOP. Hindi. Personally, sinabi mo.

MS. CAMORA. Yes po.

REP. ACOP. Personally, you find it unusual?

MS. CAMORA. It could be na medyo malaki nga po iyong amount.

REP. ACOP. And hindi mo…wala kang ginawa. You…

MS. CAMORA. Since the…

REP. ACOP. You found it unusual and yet, wala kang ginawa?

MS. CAMORA. Since they've submitted all the requirements under the Joint Circular…

REP. ACOP. Tama na?

MS. CAMORA. Okay na po, Mr. Chair.

REP. ACOP. Thank you, Mr. Chair…

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REP. ACOP. (Continuing)...Thank you, Mr. Chair.

Marami pong salamat, Madam COA.

MS. CAMORA. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Acop.

Ako po iyong susunod na magtatanong.

REP. BIENVENIDO M. ABANTE, JR. Mr. Chair.

THE CHAIRPERSON. Susundutin ko lang po iyong line of questioning ni Congressman Acop.

Atty. Camora, pasensiya na po kayo, kayo po uli ang matatanong ko po. Batay po doon sa Joint Circular No. 2015-01, ang isa po sa mga requirement po para sa liquidation po ng confi fund ay iyong tinatawag po nating accomplishment report, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Puwede po bang paki pakita po dito po iyong accomplishment report sa ating TV? Iyan. Ito po. Iyan po iyong ah...Ayan. Ito po iyong accomplishment report. So ang laman po ng accomplishment report, makikita din po natin dito, nakalagay po diyan iyong period covered. Iyan po. Ito po, ibig sabihin po nito, ito iyong araw o buwan na covered kung saan ginastos itong mga...itong surveillance and monitoring, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. So, dito naman sa actual outcome o accomplishment, nakalagay po dito iyong mga dahilan kung ano po, saan po ginamit iyong pera, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. At doon naman sa amount utilized, ibig sabihin, ito po iyong breakdown noong amount kung papaano po ginamit o kung saan ginamit, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. At siyempre, nandito po sa baba niyan iyong special disbursing officer at saka po iyong nag-approve, tama po ba? So iyan ang...bali iyan ang laman ng accomplishment report, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. So base po dito, dito po, makikita po natin iyong as letter (c), Rental of Other Incidental Expenses Relative to the Maintenance of Safe

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Houses. Dito po sa rental ng safe houses ng OVP, hindi po ito nagre-refer sa long-term lease, tama ba?

MS. CAMORA. Ahm, hindi po, Sir. Ah…

THE CHAIRPERSON. We have no way of knowing, tama po ba?

MS. CAMORA. Yes po.

THE CHAIRPERSON. Okay. Basta't ang…itong list na ito, naka-pertain lang doon sa period covered, which is iyong December 21 to December 31, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. So, ibig sabihin, itong nakalagay po diyan na 16 million, ito lang po ang covered niya, iyong December 21 up to December 31?

MS. CAMORA. Yes, Mr. Chair, iyon iyong time po na…iyong payment, iyong payment.

THE CHAIRPERSON. Iyon iyong time na ginastos itong 16 million, okay po?

MS. CAMORA. Opo, Mr. Chair. Yes, Mr. Chair.

THE CHAIRPERSON. So batay po dito sa Joint Circular na ginawa po sa OVP sa accomplishment report na 'to, ang DEPs po, iyon ang source ng file, tama po ba, ang DEP? Ang ibig sabihin po ng DEP, iyong document evidencing payment, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. So ang document evidencing payment is the acknowledgment receipt?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. So wala na pong iba? So hindi po…wala po diyan iyong contract of lease?

MS. CAMORA. Wala po, Mr. Chair.

THE CHAIRPERSON. Wala po. So ang talagang pinakaebidensiya lang niya na tinatawag natin is iyong acknowledgment receipt na iyong tao o kumpanya ay nakatanggap ng ganitong amount base po sa bayad, tama po ba?

MS. CAMORA. Yes, Mr. Chair, tama po.

THE CHAIRPERSON. Okay, tama. So, sa madaling salita, dito po sa 125 million na confidential fund, lahat po iyan, ang pinakaebidensiya lang niya is acknowledgement receipt? Regardless *que* food, *que* rentals, *que* reward, lahat po iyan pare-parehas lang iyong ebidensya?

MS. CAMORA. Yes, Mr. Chair.

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THE CHAIRPERSON. Which is acknowledgement receipt, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Walang OR, wala lahat?

MS. CAMORA. Wala po, Mr. Chair.

THE CHAIRPERSON. Okay. Now, punta po tayo dito sa rental ng houses. Ano pong specific mandate o programa ng OVP kung saan kinakailangan po ng OVP ang mga safe houses?

MS. CAMORA. Mr. Chair…

THE CHAIRPERSON. May alam po ba kayo?

MS. CAMORA. Ang nakalagay lang po dito sa accomplishment nila is iyong program nila, which is iyong safe implementation of OVP initiatives and confidence building.

THE CHAIRPERSON. Okay. So, ito, wala…without giving names, mayroon po ba kayong idea o alam kung sino po ang mga inilagay nila dito sa mga safe houses na ito, sino iyong mga pinatira nila?

MS. CAMORA. No, Mr. Chair, since it's a safe house.

THE CHAIRPERSON. So hindi talaga dini-divulge.

MS. CAMORA. Hindi po puwede. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Pupunta po tayo dito sa isang acknowledgment receipt worth 1 million pesos. Napansin ko po dito, wala po dito sa acknowledgment receipt na kahit na anong detalye ng safe house. Hindi po nakalagay kung saan, wala pong lease contract, wala pong mga kahit na anong detalye, except ng name lang po ng owner, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. At doon sa…At kung mapapansin din po ninyo, whether 1 million, 500,000, 750,000, ang template po nila ay pare-parehas?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Based po dito, sinasabi po ninyo sa liquidation ng OVP Confidential Fund, iyong 2022, 34 ang acknowledgement receipt, tama po ba?

MS. CAMORA. Yes, Mr. Chair, tama po.

THE CHAIRPERSON. Okay. At kanina, sinabi po ninyo, sa 34 na ito, 34 po iyong safe houses. So ang ibig sabihin, isang resibo represents one safe house, tama po?

MS. CAMORA. Yes, Mr. Chair.

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THE CHAIRPERSON. Okay. May idea po ba kayo dito sa safe houses na 'to kung ito po ba ay bahay, condo, o kung ilang palapag?

MS. CAMORA. Wala po, Mr. Chair. Wala pong information. Kung ano lang iyong...

THE CHAIRPERSON. Wala po kayong idea. So, ang ibig sabihin, wala kayong alam na detalye?

MS. CAMORA. No details, Mr. Chair.

THE CHAIRPERSON. Okay. So...At lumalabas din po dito, in 11 days, ang nagastos po nila sa safe houses is 16 million?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Ayan po. Okay. Ano po iyong pinakamurang safe house na kanilang nirentahan in 11 days? Iyong pinakamura po, magkano po iyon?

MS. CAMORA. Mr. Chair, it's 250,000 po.

THE CHAIRPERSON. Ang pinakamurang safe house na kanilang nirenta in 11 days is 250,000?

MS. CAMORA. Two hundred fifty thousand, Mr. Chair.

THE CHAIRPERSON. Okay. At magkakano naman po iyong pinakamalaki?

MS. CAMORA. Mr. Chair, mayroon pong 1 million po, Mr. Chair.

THE CHAIRPERSON. Okay. So, base po doon sa inyong official receipt o base po dito sa official receipt na kanila pong in-issue at dito po sa pinakikita po sa atin, may dalawa po ditong nakalagay na 1 million. So, ibig sabihin po ba, may dalawang safe houses sila na nirentahan in 11 days, worth 1 million, tama po ba iyon?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Tama. Okay. At dito po, nakalagay din po dito sa isang OR na worth 1 million, binayaran po nila ito dated December 26; at iyong isa naman, dated December 28.

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Dalawa po kasi iyong interpretation ko niyan. Ano po ba ang tama, ito po bang 1 million na ito ay for 11 days, which is December 21 to December 31; o dahil po doon sa date of payment, December 26, doon po nagsisimula iyong rental? So, 26, 27, 28, 29, 30, 31, which is six days...

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THE CHAIRPERSON. (Continuing)...six days; at doon naman po sa isa, December 28, which is four days. So, iyong bang one million na binayad nila na December 28, iyong one million na iyan, in 4 days o in 11 days?

MS. CAMORA. Mr. Chair, it just means na noong date na iyon po nabayaran iyong recipient po. Puwede pong...

THE CHAIRPERSON. But it does not follow na iyon iyong period cover?

MS. CAMORA. Yes, Mr. Chair. Puwede pong...

THE CHAIRPERSON. Hindi ka ba nagtaka na minsan, na wala...na hindi ka naman...hindi po ba kayo nagtataka, 'di ba normally po sa mga rentals magbabayad ka muna bago ka mag-o-occupy?

MS. CAMORA. Yes po, sa normal rental po.

THE CHAIRPERSON. So, ito po hindi normal?

MS. CAMORA. It's a safe house, Mr. Chair.

THE CHAIRPERSON. Hindi...Tama po, I understand na safe house. Pero, 'di ba normally po pagka ganiyan po, may mag-uupa, pag-uupahan po ninyo ang isang lugar, hindi ka naman makakapag-occupy nang hindi ka muna nagbabayad. Minsan mayroon nga pong down payment, mayroon pang advance payment.

MS. CAMORA. Ang karamihan...

THE CHAIRPERSON. Hindi, 'di ba iyon naman...wala...mayroon ka bang instance na nauna muna iyong pagpasok bago iyong bayad? Mayroon po bang instance na ganoon? Nangyayari po ba iyon?

MS. CAMORA. Wala po akong information...

THE CHAIRPERSON. Wala pong information.

MS. CAMORA. ...kung may ganoon po...

THE CHAIRPERSON. Kasi ang normally po, magbabayad ka muna bago ka papayagan ng may-ari na pumasok, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. So, ito po, pupuwede rin naman na iyong payment ng one million is just for four days?

MS. CAMORA. Possible din naman siya, Mr. Chair.

THE CHAIRPERSON. Possible din, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Iyon. Hindi po ba kayo nagtaka na sobrang mahal noon, iyong isang milyon in just four days? Anong klase pong safe house ito? May swimming pool po ba itong safe house, may wifi, sa BGC?

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May pakikita po ako sa inyong isang resort sa Shangri-La, Shangri-La, Boracay. Ang per night po nito is 22,500, this is a high-end luxury resort. It is just 25,000 per day. As compared po natin dito sa one million, bale magkano po lumalabas iyong one million per day in 11 days? Magkano po ba iyon sa 11 days iyong one million?

MS. CAMORA. Mr. Chair, 90,000...

THE CHAIRPERSON. Ninety thousand a day?

MS. CAMORA. ...nine hundred nine...Yes, Mr. Chair.

THE CHAIRPERSON. As compared po doon sa luxury resort with complete amenities. Much worse kung four days iyong one million. Magkakano po lumalabas iyon in four days?

MS. CAMORA. Two hundred fifty...250,000...

THE CHAIRPERSON. Two hundred fifty thousand per day. Hindi po ba kayo nagtaka kung bakit ganoon kamahal?

MS. CAMORA. Wala naman po...

THE CHAIRPERSON. Hindi po kayo nagtaka?

MS. CAMORA. ...kaming information kung gaano kalaki. Building po ba siya or...

THE CHAIRPERSON. Wala po kayong information kung gaano po kalaki iyong building, okay.

May papakita pa rin po ako sa inyo. Iyong mga condo unit po sa BGC, iyan po, 90,000 per day...

VOICE. Per month.

THE CHAIRPERSON. Ninety thousand per month sa BGC, Taguig po. Hindi po iyan 90,000 per day, that is 90,000 per month ang rental po diyan sa BGC. Ganiyan po ba ang itsura noong ano, noong rest house na narenta?

MS. CAMORA. Wala pong information...

THE CHAIRPERSON. Ha?

MS. CAMORA. Wala po kaming information on the...

THE CHAIRPERSON. Ah, wala.

MS. CAMORA. ... anong klase pong safe house.

THE CHAIRPERSON. Alam po ninyo, medyo dapat...noong tinitignan po ninyo, nagtaka na kayo sa laki po ng rentals in 11 days, eh. 16 million, very glaring na po iyon, eh.

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Noong December 28, 2022, ang binayaran po nila sa rentals is worth 2.850 million, tama po ba? Iyong petsang December 28, 2.6 million, at noong December 27, 3.7, at noong December 29…

So, in just three days, nagbayad po sila ng 8.750 million for the rentals. Hindi po ba parang bumili na po sila ng bahay niyan?

MS. CAMORA. Puwede…

THE CHAIRPERSON. Tama po ba?

MS. CAMORA. Mr. Chair, hindi po allowed ang purchase ng…

THE CHAIRPERSON. Ayon.

MS. CAMORA. …safe house.

THE CHAIRPERSON. Hindi allowed iyong purchase?

MS. CAMORA. Since kailangan pong…

THE CHAIRPERSON. Yes. Hindi rin allowed iyong construction, tama ba?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. But that amount is equivalent to one house, 8 point something million, 8.7 million, tama po ba? Lalong-lalo na kung sa probinsiya. And we have 30…ilan ito, we have 32 ba ito? 32 safe houses…ah, 34 acknowledgment receipts, total amount of 16 million in 11 days.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Hindi po ba kayo nagtaka doon sa amount?

MS. CAMORA. Since safe house naman po siya, Mr. Chair, and hindi…

THE CHAIRPERSON. Ah, kasi allowed?

MS. CAMORA. Hindi naman po rin namin alam kung ilang…ilan ang sini-safe house…ah, ilang…

THE CHAIRPERSON. Hindi, kanina sinabi po ninyo, one receipt is equivalent to one safe house.

MS. CAMORA. One safe house.

THE CHAIRPERSON. Tama po ba?

MS. CAMORA. Tama po.

THE CHAIRPERSON. Okay.

MS. CAMORA. Pero kung ilan iyong taong ilalagay doon or kung sinong mga iyon, wala po kaming information…

THE CHAIRPERSON. Ayan, pupunta po tayo diyan sa taong binabanggit po ninyo.

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Balik po tayo doon sa accomplishment report, doon po sa provision of medical and food aid. Puwede po bang paki…Iyan, provision of medical and food aid amounting to 42 million.

MS. CAMORA. Forty million, Mr. Chair.

THE CHAIRPERSON. Ay, 40 million, bakit sa akin dito 42? Ah, okay, amounting to 40 million. So, that…dito po sa…ayan po, ayan, dito po sa February 6 to March 29, 2023, provision of medical and food aid in the amount of 42 million. Ito pong 42 million, ilang araw po ang covered nito?

MS. CAMORA. Ahm…

THE CHAIRPERSON. Fifty-three days, tama po ba?

MS. CAMORA. February 6 to March 29…

THE CHAIRPERSON. From February 6 to March 29, ilang days po ito, 53?

MS. CAMORA. Yes po, Mr. Chair.

THE CHAIRPERSON. Okay, 53. So, lumalabas po that is equivalent to 840,000 per day more or less, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. Sa isang araw po, gumagastos sila ng 840,000 para po sa pagkain at sa medicine. Ang tanong ko po, ilang informant po ba iyong kanilang binibigyan ng gamot at pagkain para maka-consume ka ng 840,000 sa isang araw? Kasi pagpalagay na po natin na dalawang libo po ang isang sako, that is equivalent to 420 sacks of rice a day.

MS. CAMORA. Mr. Chair, based sa documentary evidence of payment…

THE CHAIRPERSON. Pakilakas po.

MS. CAMORA. …there were 119 recipients po.

THE CHAIRPERSON. One hundred…

MS. CAMORA. Nineteen na acknowledgement receipts po.

THE CHAIRPERSON. One hundred nineteen na acknowledgment receipt…

(MS. LORILYN E. DE CASTRO TOOK OVER)

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THE CHAIRPERSON. (Continuing)...acknowledgement receipts. So ibig sabihin nito, 119 na informant.

MS. CAMORA. Ang tumanggap po.

THE CHAIRPERSON. Ha? Lahat po iyon may...kumakain, siyempre.

MS. CAMORA. *One hundred nineteen po na acknowledgement receipts siya* pero wala pong details indicated kung ilang...

THE CHAIRPERSON. Informants ang kanilang...

MS. CAMORA. ...ilang tao ang nabigyan po, Mr. Chair.

THE CHAIRPERSON. Okay. Kasi nakakagulat lang kasi sa 840,000 po parang grabe namang...sa dami naman pong pinakain nito in a day at ang dami rin pong nagkasakit. Nagkaroon po ba ng peste dito sa lugar na ito para ganoon po gumastos ng medicine?

So, again, dito po sa food and medicine same DEPs. Ibig sabihin, same din po iyong evidence na kanilang inilabas which is iyong acknowledgement receipt. Tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. To justify ito pong purchase of medicine and food, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. And same format.

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Same format for the rentals and same format for the medicine and food.

MS. CAMORA. Opo, Mr. Chair.

THE CHAIRPERSON. Okay. So, pareparehas po.

Now, I will show you the...Now, Atty. Camora, since kayo po ang official na COA ng Intelligence and Confidential Fund Audit Office, kabisado ninyo po, more or less, iyong mga expenses items na kasama sa accomplishment report ng OVP, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. Now, to refresh your memory, I am showing the relevant portion of the accomplishment report indicating the expense items covered by the 125 million Confidential Fund. Puwede po ba paki flash iyong actual outcome ng accomplishment? Okay. Bilang parte po ng COA-ICFAU, pamilyar po ba kayo sa

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DILG Memorandum Circular No. 99-65, revised guidelines relative to the utilization of funds for intelligence or confidential purposes.

MS. CAMORA. Mr. Chair, isa po siya sa iyong dating guideline.

THE CHAIRPERSON. Iyan po iyong dating guidelines.

MS. CAMORA. Opo.

THE CHAIRPERSON. Okay. So kung mapapansin po natin maliban na lang sa mga purchase of ammunition, pareho po at nagma-match ang item sa DILG Memorandum Circular at sa accomplishment report na ginawa ng OVP. Tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Bale, iyong template at copy paste ang expense items, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Tama po?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. So alam ninyo po ba na iyong tinatawag na DEPs ito po iyong documentary evidence of payment or document evidencing payment, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. So ito pong DEP na ito ay makikita sa Joint Circular No. 2015-01, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. Ang DPE(?) ay nagsisilbing requirement o supporting documents para sa utilization ng Confidential Fund, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Now, I am showing to you Section 4.12 of the Joint Circular. Ang nakalagay po dito "disbursement from Confidential Fund shall be supported with documentary evidence of payment among others which shall be submitted to the ICFAU in a sealed envelope signed by SDO." So ito pong DEP ay hindi kasama sa requirement na nakasaad sa DILG Memorandum Circular, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. Paki confirm nga po under sa DILG Memorandum Circular documentary evidence of payment or DEPs are not required for liquidation of Confidential Fund?

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MS. CAMORA. Under the DILG MC po.

THE CHAIRPERSON. Yes, memorandum circular.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. So doon sa DILG, iyong documentary evidence ng *payment ay hindi nire-require sa liquidation.*

MS. CAMORA. Noong time na ito po na ito ang...

THE CHAIRPERSON. Iyon ang sinusunod.

MS. CAMORA. ...sinusunod.

THE CHAIRPERSON. Okay.

MS. CAMORA. And this is for LGUs po since DILG...

THE CHAIRPERSON. LGUs, tama po ba?

MS. CAMORA. Since DILG po ang nag...

THE CHAIRPERSON. Now, please also confirm that DEPs only became a requirement under the Joint Circular No. 2015-01.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. In fact, ito pong DEP ay kasama sa mga items na nakapaloob sa certifications na iniisyu ni Special Disbursement Officer Gina Acosta para sa liquidation reports per quarter. Tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Okay. Ipakikita ko po sa inyo iyong certification dated January 10, 2022. Paki...

Ayan po. Ayan. Tama po ba iyan?

MS. CAMORA. Mr. Chair, hindi po ito iyong template ng...

THE CHAIRPERSON. Hindi. Iyan po iyong dating...January 10, 2020...ibig sabihin, hindi pa po siya iyong OVP. Tama po ba?

MS. CAMORA. Opo. Yes, Mr. Chair.

THE CHAIRPERSON. So parang mayor pa po siya nito, tama po ba? Ito sa LGU. Tama po ba?

MS. CAMORA. Sa...

THE CHAIRPERSON. Vice President na pala siya. Tama?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Now, Office of the Vice President, first quarter Confidential Fund Accomplishment Report dated March 30, 2023, ipakikita rin po namin sa inyo. Template po itong certification na ito, 'di ba?

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MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Ito po ay template.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Na kinuha mismo sa joint circular.

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. Now, dumako po tayo doon sa Audit Observation Memo for the 2023 first, second, and third quarter Confidential Fund. Common deficiency po na tinatawag sa AOM na ito ay lack of DEPs as proof that the said Confidential Fund was disbursed.

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Tama po? Tama?

MS. CAMORA. Tama po, Mr. Chair.

THE CHAIRPERSON. Ang rason po kaya kung bakit walang DEPs na in-attach ang OVP ay ang ginagamit nilang batayan o standard sa pag-liquidate ng confi fund ay iyong lumang DILG memorandum circular. Ano po sa tingin ninyo? Puwede.

MS. CAMORA. Puwede, Mr. Chair, since dati hindi pa po required ang DEPs.

THE CHAIRPERSON. So, marahil ito na iyong nakasanayan na guidelines ng staff ng OVP sa pagli-liquidate po ng confi fund na galing po sa Davao, tama po ba?

MS. CAMORA. Puwede, Sir.

THE CHAIRPERSON. Puwede. Puwede po, tama?

MS. CAMORA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. So, ibig sabihin,...

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THE CHAIRPERSON. (Continuing)...ibig sabihin kaya po nagkaroon po ng ganiyan dahil parang iyong nakagawian po nila dati iyon pa rin ang ina-apply nila sa ngayon. Tama po ba?

MS. CAMORA. Ah, tama po, Mr. Chair.

THE CHAIRPERSON. Okay. Thank you. Iyon lang po.

So, the next to interpellate, Congressman Ernix.

REP. ABANTE. Wala.

Mr. Chair, puwede ba akong magtanong in relation to...

THE CHAIRPERSON. Yes...

REP. ABANTE. ...your question and...

THE CHAIRPERSON. ...Congressman, since wala po si Congressman Ernix. We will recognize the Senior Vice Chairman, Congressman Benny Abante.

REP. ABANTE. Ah, Atty. Camora, alam ko naman na hindi kayo iyong gumastos niyan, eh, kayo lang ang nag-o-audit niyan. Kayo ang medyo nasisi, 'di ba? Pero ang tanong ko, eh, nagkaroon ba kayo ng parang ocular inspection doon sa mga ni-rent na mga safe houses? Wala?

MS. CAMORA. Wala po, Mr. Chair.

REP. ABANTE. Wala kayong ocular inspection report, wala?

MS. CAMORA. Wala, Mr. Chair.

REP. ABANTE. Bakit? Wala ba iyon sa rules...

MS. CAMORA. Wala po siya sa...

REP. ABANTE. ...na dapat ninyong gawin iyon?

MS. CAMORA. Wala po siya sa joint circular, Mr. Chair.

REP. ABANTE. Wala iyon?

MS. CAMORA. Wala po.

REP. ABANTE. O, baka naman, eh, ginagawa ninyo lang iyan in respect to the position of the Vice President?

MS. CAMORA. Ah, Mr. Chair, hindi po. Kung ano po iyong nasa joint circular, iyon lang po ang sinusunod namin.

REP. ABANTE. Kung ano iyong nasa, ano, joint circular, kung ano iyong sinabmit *(submit)* sa inyong—anong tawag doon—accomplishment report or...pakita nga uli iyong, ano, iyong mga rentals diyan.

Iyon lamang ang pinagbabasehan ninyo na panggastos at iyang acknowledgment receipt, nakalagay 500,000. Kung sinabmit *(submit)* ninyo sa inyo

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iyan, wala na kayong ginagawang iba kung hindi paniwalaan na lamang itong acknowledgment receipt na ito, ganoong po ba iyon?

MS. CAMORA. Ah, yes, Mr. Chair. Lahat naman po ng NGAs, ganoon ang treatment po sa safe house. Considering iyong nature nga po ng safe house, hindi na po namin...hindi rin po nila di-disclose sa amin, Mr. Chair.

REP. ABANTE. Ang tinatag...pinagtatakahan lang namin dito sa Committee, Atty. Camora, is how 500,000, for example, can be used for 11 days? At anong klaseng safe house ang ni-rent, 'no, for 11 days na nagkakahalaga ng at least 45,000 pesos a day. Ah, 'di ba, parang ano iyon, Atty. Camora...sa iyo, sa iyong palagay, 'di ba, parang malaki, parang napakalaki kung iisipin natin talaga?

MS. CAMORA. Malaki po siya, Mr. Chair, considering malaki po iyong Confidential Fund ng...nitong agency po na ito.

REP. ABANTE. Okay. Iyong Confidential Fund ang tinitingnan ninyo, pero hindi ninyo tiningnan kung papaano ginamit ang Confidential Fund na ito. Tinatanggap ninyo lang kung ano ang nakalagay sa acknowledgment receipt, ganoon po ba iyon?

MS. CAMORA. Basically, opo.

REP. ABANTE. But there is no way for us...there is now way for you to be able to really, ano, verify. Dapat kasi mayroon kayong verification, eh.

MS. CAMORA. Ah, sa regular audit po.

REP. ABANTE. Ha?

MS. CAMORA. Sa regular audit po, mayroon. Pero sa Intel and Confidential Fund audit, wala po.

REP. ABANTE. So, there's no way for you to verify?

MS. CAMORA. Yes po, Mr. Chair.

REP. ABANTE. Oo. Kinakailangan siguro, Mr. Chair, eh, i-revisit natin itong batas tungkol sa Confidential Fund. And we ought to review and amend kasi nakikita ko naabuso, eh. Palagay ninyo, Atty. Camora?

MS. CAMORA. Ah...

REP. ABANTE. Kasi...Kung halimbawa, nakakawala iyan sa audit ninyo, tinatanggap na lang natin kung paano ginagastos iyan ng hindi mo alam kung paano. We do not even know what happen to it. We do not even know how it is being used. We do not even know how big the property is. We do not even know how many square meters.

MS. CAMORA. Yes, Sir.

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REP. ABANTE. We do not even know who the people are using it. And just imagine, ha, kung 1 million po iyan in a day, 11 days ginamit iyan, that's 90,000 pesos a day. Just imagine, 90,000 pesos a day. Eh, ano ng…anong…aba, eh, mukhang talo pa yata iyong bahay na uupahan natin sa Forbes Park when you speak of 90,000 pesos a day.

Ah, Atty. Camora, hindi ninyo naisip iyong ganoong bagay? Basta't…Sabi nga ni Congressman Acop, "Hook, line, sinker." Tinanggap ninyo iyan. Walang question.

MS. CAMORA. Ah, nag-base lang po talaga kami sa requirements ng joint circular. And also, hindi naman po kasi lahat ng agencies may Confidential Funds.

REP. ABANTE. Iyon lang po talaga?

MS. CAMORA. Based lang po talaga sa joint circular. And hindi lang naman po COA, since joint nga po siya, it's an effort po ng COA, DND, DBM, GCG, and DILG po iyong joint circular.

REP. ABANTE. Wala talaga tayong masiyadong makukuha kapag ganiyan, 'di ba, dahil sa mayroong joint circular na iyon lamang ang nakalagay, am I right?

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. Ah, Mr. Chair, I'd like to divert my interpellation to Major General Nolasco Mempin.

Ah, okay. So, we will give way muna sa OVP or tapusin muna iyong OVP so later on, we'll…we'll go to Department of Education.

Major Mempin, mamaya na. Mamaya na tayo mag-usap.

THE CHAIRPERSON. Thank you, Congressman Abante.

Ah, last to interpellate sa issue ng OVP is Congressman Ernix Dionisio. And then, we will now proceed to the DEPED. Ah, first to interpellate is Congressman Johnny Pimentel.

The Chair would like to recognize, Congressman Ernix Dionisio, for your interpellation.

REP. ERNESTO M. DIONISIO JR. Thank you, Mr. Chair. Good morning everyone.

Ah, Ma'am, Ma'am Camora—Mr. Chair, like to ask some questions lang sa ating COA representative, si Atty. Carmora— I remember, Attorney, noong…ilang beses na rin akong nakapagtanong sa iyo. You have always been cordial, respectful, and…to the Committee, and I believe that you are always prepared, at napakabait po ng demeanor ninyo. Thank you for giving respect and answering the questions of the

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Committee. I hope you can answer the…some of the observations of this humble Representations, Ma'am.

Ma'am, na-notice ko lang po kasi na habang nagtse-check po ako ng documents, mayroon po tayo doon sa rental ng safe house. Naririnig ko po kanina sa tanong ni Congressman Acop at ni Congressman Chairman Joel Chua na…Ma'am tama po ba na mga acknowledgment receipts ang basis po ng COA sa pagsusuri nitong mga ito—doon sa rentals, Ma'am?

MS. CAMORA. Ah, dito po sa OVP, Mr. Chair, yes, acknowledgment receipts po.

REP. DIONISIO. Oo. Kasi iyong naririnig ko iyong line of questioning ni Congressman Acop earlier, which I…nakikita ko maganda iyong line of questioning trying to find the answers, trying to dig deeper, medyo nahihinto tayo because…tama po ba dahil acknowledgement receipts lang ang basehan po natin?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Sa inyo po ba, Ma'am, huwag na po bilang COA representative, huwag po muna bilang abogado, on a personal note, kayo po, matagal na rin kayo sa COA. Alam ko po lagi tayong may piniagbabasehan na mga bagay-bagay, pero as a person, as an individual, with your years of experience…gaano na po ba kayo katagal sa COA?

MS. CAMORA. Ah, mga eight years po, Mr. Chair.

REP. DIONISIO. O, eight years is substantial time, Ma'am. Tama po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Oo, eh, siguro nakapag-develop na rin tayo ng—how do I say this…

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REP. DIONISIO. (Continuing)... how do I say this—innate gut feel natin if there is something wrong or if things are regular in nature. Tama po ba?

MS. CAMORA. Mr. Chair, ngayon lang...

REP. DIONISIO. Ma'am, just ano lang ito ha, speaking candidly. Don't... just tell me iyong personal lang natin, Ma'am. Kasi tayo, in every endeavor natin sa career natin, sometimes we develop iyong personal nating pag-aaral. Hindi ba, hindi naman lahat nakabase lang sa dokumento? Kayo po ba sa personal ninyo, naka-develop kayo ng somewhat say natin na innate panunuri ninyo?

MS. CAMORA. Yes, Mr. Chair. Although as an auditor, parang less than two years pa lang po ako as an auditor sa COA. Mas leaning towards...

REP. DIONISIO. Yes, Ma'am. Opo.

MS. CAMORA. ...the legal po...

REP. DIONISIO. Para lang mapabilis tayo, Ma'am. Kasi ako, itong documents na nakita ko, ilang oras pa lang po na habang pinapakinggan ko lang, base kay Congressman Acop and Congressman Joel Chua, ang ating Chairman ng Committee na ito, meron na po akong na-o-observe na parang sa tingin ko nakakapagtaka. For example, Ma'am, if I may continue, Mr. Chair, tama...

THE CHAIRPERSON. Please continue.

REP. DIONISIO. ...noong fourth quarter po ng 2022, ilan po ba iyong ginamit para sa rental expenses?

MS. CAMORA. For 2022 po, 16,000 po.

REP. DIONISIO. Sixteen thousand, Ma'am?

MS. CAMORA. Sixteen million, sorry. Sixteen million po.

REP. DIONISIO. And it was spent for how many days po, Ma'am?

MS. CAMORA. For 11 days po.

REP. DIONISIO. For 11 days. Some would say that it might be too much, but it's really hard to assess since it's just acknowledgment receipts that we have. Tama po ba, Ma'am?

MS. CAMORA. Tama po, Mr. Chair.

REP. DIONISIO. So, going to that line of questioning po, sa quarter... sa first quarter ng 2023 naman po, Ma'am, magkano po ang nagastos for rental expenses?

MS. CAMORA. For the first quarter, 16 million din po, Mr. Chair.

REP. DIONISIO. Pareho po?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Sa... gaano... ano pong duration naman siya ginamit?

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MS. CAMORA. It's February 6 to March 29 po ang nasa accomplishment report nila.

REP. DIONISIO. Suma total po, ilang araw po iyon?

MS. CAMORA. Fifty-six days po.

REP. DIONISIO. Fifty-six? Or more or less... more or less, ano?

MS. CAMORA. More or less 50...

REP. DIONISIO. Nasa mga 50 something days as to compared to 11 days back in the fourth quarter, tama po ba, Ma'am?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Iyon kasi parang... actually, Ma'am, iyon lang po iyong na-notice ko na parang with the same amount but with a different number of days. So, I understand na parang... iyon po ba hindi suspicious sa inyo or regular naman po kaya iyon sa tingin ninyo?

MS. CAMORA. Well, personally, I find it medyo steep po siya considering nga na 11 days lang po.

REP. DIONISIO. Hindi. Yes, Ma'am. Pero noong sumunod na quarter, parang mas humaba na, napagkasya naman iyong same amount na sinasabi ninyo po, hindi ba?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. So, do we both agree na parang mas mura yata iyong pagkakagastos noong sumunod na quarter?

MS. CAMORA. Yes, Mr. Chair, considering mas mahaba...

REP. DIONISIO. Mathematics lang, eh, ano. Eleven days versus 53 days. Eh, noon po kayang second quarter naman noong 2023, Ma'am, magkakano po ang nagamit?

MS. CAMORA. Sixteen million din po, Mr. Chair.

REP. DIONISIO. So, it's the same amount every quarter, tama po, Ma'am? At least, for the fourth quarter of 2022, for the first quarter of 2023, and for the quarter two of 2023, it's all the same amount po, Ma'am?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. And may you repeat again the amount po?

MS. CAMORA. Sixteen million po, Mr. Chair.

REP. DIONISIO. Dito naman po sa second quarter ng 2023, gaano po naman katagal ginamit?

MS. CAMORA. Sixty-six days, Mr. Chair.

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REP. DIONISIO. Sixty-six, Ma'am.

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Ah, so, mas humaba.

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Ma'am, if you may repeat nga…

MS. CAMORA. Sixty-seven days.

REP. DIONISIO. … medyo nalilito ako, maraming numero. Iyong first… iyong quarter four ng 2022, for 16 million, ilan pong araw ginamit?

MS. CAMORA. For 2022, 11 days po.

REP. DIONISIO. Eleven days. So, noong quarter one naman ng 2023, makikita dito, ilang araw po ulit, Ma'am?

MS. CAMORA. Fifty-three days, Mr. Chair.

REP. DIONISIO. Fifty-three days.

MS. CAMORA. Opo.

REP. DIONISIO. So, with the same amount, mas marami ng araw ang paggamit?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Noong sa quarter two of 2023, with the same amount of 16 million, ilang araw naman po ginamit? Sixty-six ang sabi ninyo po?

MS. CAMORA. Sixty-seven po based on computation ng…

REP. DIONISIO. Sixty-seven days?

MS. CAMORA. Opo, Mr. Chair.

REP. DIONISIO. So, having said that, Ma'am, sa personal po ninyong opinyon, being an attorney and two years in the audit department of the Commission on Audit, hindi po… regular po ba iyong ganoon na same amount but different number of days?

MS. CAMORA. Well, personally po, medyo steep nga po iyong… lalo na po iyong sa 2022, since 11 days lang po siya.

REP. DIONISIO. Na 16 million for 11 days.

MS. CAMORA. Yes, compared po doon sa 2023 na almost parang…

REP. DIONISIO. Ma'am, ano po bang basehan ninyo dito sa lahat ng ito? Bukod po sa acknowledgment receipt, meron po ba kayong breakdown nitong mga paggamit ng pondo na ito?

MS. CAMORA. Iyong nasa accomplishment report po, Mr. Chair. Iyong accomplishment report, iyong report nila kung magkano…

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REP. DIONISIO. But did it say po, Ma'am, kung saan ginamit, anong klaseng facility ba ito?

MS. CAMORA. No information, Mr. Chair.

REP. DIONISIO. Wala pong information?

MS. CAMORA. Opo.

REP. DIONISIO. So, very bare po?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Based on the observation of this humble Representation, Mr. Chair, parang... I agree with you and Congressman Acop that there has to be a new law that we have to make, you know, to be able to check so that we can protect better the funds of the people. Your Honor, ito po, if I may, mayroon pa po akong konting oras. Thank you, Mr. Chair.

Ang quarter three naman po, Ma'am, ng 2023, magkakano po ang nagamit para sa rental?

MS. CAMORA. Mr. Chair.

REP. DIONISIO. If I may repeat, Mr. Chair. It's quarter three of 2023.

MS. CAMORA. It was 5 million po.

REP. DIONISIO. Ma'am, pakilakas po. Ano po iyon?

MS. CAMORA. Five million po, Mr. Chair.

REP. DIONISIO. Five million?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Parang malayo po doon sa mga nakaraang quarter?

MS. CAMORA. Mr. Chair, yes.

REP. DIONISIO. So, correct me if I'm wrong, Ma'am, ha: 16 million, fourth quarter of 2022; 16 million, quarter one of 2023; another 16 million of quarter two of 2023; tapos ng quarter three of the same year, biglang nag-drop po ng 5 million. Tama po?

MS. CAMORA. Tama po, Mr. Chair.

REP. DIONISIO. Eh, para sa ilang araw naman po nagamit iyong 5 million na iyon? Iyong durations po, Ma'am?

MS. CAMORA. Seventy-nine days po.

REP. DIONISIO. Sorry po.

MS. CAMORA. Seventy-nine days.

REP. DIONISIO. Seventy-nine?

MS. CAMORA. Yes po.

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REP. DIONISIO. So, mahigit dalawang buwan?

MS. CAMORA. Yes po.

REP. DIONISIO. Hindi po ba na parang nakakapagtaka na 5 million, napagkasya sa 79 days, tapos medyo extreme kumpara sa quarter four ng 2022 na 16 million for 11 days?

MS. CAMORA. Puwede pong ganoon, Sir, na extremely malaki iyong gastos noong 2022.

REP. DIONISIO. Parang malaki iyong discrepancy.

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. So, I think any person could simply or easily deduce a question na kung napagkasya iyong 5 million for 79 days noong quarter three in the year 2023, bakit kailangang gumastos ng 16 million for 11 days sa quarter four ng 2022? Iyon iyong tinatanong ko kanina, Ma'am, na bilang parte ng Commission on Audit at isang attorney, abogado na eight years na rin po kayo sa Commission, iyong para bang... hindi tayo dapat maging ministerial lang. I do understand that we base everything based on documents. Being a lawyer, I'm sure that that's how you process everything. Pero gaya ng sinabi ni Congressman Acop na bilang tagapag-bantay ng pondo ng taong-bayan, siyempre, naroroon din naman iyong pagkakataon na may gut feel tayo na siguro, apart from each document na nakikita natin, if we see something out of the ordinary, like what we are mentioning now, maybe we can... I don't know if we can do something about it or siguro, it is imperative nga... that's the reason why importante itong Committee ng Blue Ribbon is to in aid of legislation so we can craft laws...

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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REP. DIONISIO. (Continuing)...craft laws, Your Honor, so that things like this won't happen again, that at least, COA will be able to dig deeper apart from just acknowledgment receipts, 'no. Kasi medyo your hands are tied, just you're basing it on documents. Tama po, Ma'am, 'no?

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. Pero, pasensiya na po, if I may ask you on a personal level, medyo mayroon ba kayong napi-feel na irregularity?

MS. CAMORA. Siguro, Sir, medyo steep lalo na po iyong 11 days...

REP. DIONISIO. You do agree na medyo mayroong parang ano...

MS. CAMORA. ...sa 2022 po.

REP. DIONISIO. Oo. Your Honor, just...if I may have one last minute. Nagtataka lang po kasi ako based on documents, mayroon kasi ditong Quarter 4, 2022; Quarter 1 to Quarter 3 ng 2023. Parang wala po akong nakikitang Quarter 4...4th Quarter ng 2024. Ilan po ba ang nagamit naman doon sa period na iyon, Ma'am?

MS. CAMORA. Mr. Chair, wala po silang liquidation for the 4th Quarter ng 2023.

REP. DIONISIO. Fourth Quarter ng 2023, wala na po?

MS. CAMORA. Wala po, Mr. Chair.

REP. DIONISIO. Bakit po kaya?

MS. CAMORA. Based sa ano, sa ATL po, wala po yata silang cash advance noong 4th Quarter.

REP. DIONISIO. So, in short, Ma'am, would it be accurate to say na wala pong ginamit na rental noong 4th Quarter of the year 2023?

MS. CAMORA. Yes, Mr. Chair. And every...lahat po noong remaining na confidential fund nila, hindi na nila nagamit.

REP. DIONISIO. Hindi na nagamit.

MS. CAMORA. Yes, Mr. Chair.

REP. DIONISIO. So, another question can be raised na ano po kaya iyong programa na pinaggamitan kung bakit out...bigla na lang noong 4th Quarter hindi na kailangan ng funding doon? Iyon iyong parang puwedeng maisip ng simpleng tao na bakit biglang nawala na lang iyong funding na hindi na lang biglang kinailangan?

Tama po ba, Ma'am?

MS. CAMORA. Tama naman po, Mr. Chair.

REP. DIONISIO. Yeah. Again, Mr. Chair...thank you po, Ma'am, for always being cordial and putting a smile in this Committee.

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Mr. Chair, iyon lamang po. If I may reiterate, pasensiya na po that I took a little bit of time of this Committee. Iyon lang po talaga ang na-notice ko na medyo malaki iyong discrepancy na noong 4th Quarter of 2022, 16 million for 11 days. Tapos, noong 3rd Quarter naging 5 million for 79 days. You know, we cannot dig deeper that's why in aid of legislation, we really have to craft laws for us to be able to dig deeper na hindi na po maulit na, at least, may kasagutan na po sa susunod ang COA sa atin.

Iyon lamang po, Mr. Chair, and marami pong salamat sa inyo.

THE CHAIRPERSON. Thank you, Congressman Ernest Dionisio.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. Before we leave the budget of the OVP, can I ask a few clarificatory questions?

THE CHAIRPERSON. Yes. With the indulgence of Congressman Johnny Pimentel, Congressman Acop is recognized by the Chair.

REP. ACOP. Thank you, Mr. Chair.

Madam Camora, binasa ko po lahat iyong 34 na acknowledgment receipts. There's no duration. Hindi po sinasabi na ito, dito sa acknowledgment receipts na ito, na iyong, for example, December 21, 2022, 500,000, walang duration. So, how do you interpret this? Is this for one day or for 11 days?

MS. CAMORA. It could be interpreted po na for...

REP. ACOP. Tinatanong ko po sila, how did you interpret this?

MS. CAMORA. Since mayroon naman pong sinabmit (*submit*), hindi na po namin...as long as it is within the period po of the cash advance.

REP. ACOP. Paano po iyong...iyong 500,000, ang date is 31 December, 2022 at saka may undated acknowledgment receipt, 250,000. Paano ninyo...paano ninyo ini-interpret itong mga ganito, Madam COA?

MS. CAMORA. Usually po, Mr. Chair, tinitignan lang namin as long as it is within the period noong cash advance.

REP. ACOP. Yes. But...

MS. CAMORA. Opo.

REP. ACOP. ...how do you interpret, for example, last December 21, 2022, three acknowledgment receipts were given, right, in the amount...totaling the amount of 1.1 million. It's...I can interpret it that it's payment for the safe house for one day, not for 11 days. Why? Kasi paano iyong date na check...acknowledgment receipt na December 31, 2022? Is it for 11 days also or for one day?

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MS. CAMORA. It is possible that it's for one day only.

REP. ACOP. One day.

MS. CAMORA. It is possible, Mr. Chair.

REP. ACOP. Tapos ang safe house is worth 500,000 pesos per day.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Ano kayang klaseng safe house iyon? Kaya iyon po iyong sinasabi namin dito na hindi po kapani-paniwala, eh, iyong mga documentary evidence of payment submitted, 'di po ba?

MS. CAMORA. Ah...

REP. ACOP. Talaga bang sa acknowledgment receipt, for example, for the payment of rentals, hindi nakalagay doon iyong duration? Wala po?

MS. CAMORA. Wala po, Mr. Chair. Based doon sa itsura niya kanina, Mr. Chair, wala pong duration iyong...

REP. ACOP. Ilan po kayong taga-COA na nandito? Ilan po kayong mga taga-COA? So, may I ask the...those members of COA. Nakita ninyo na po iyong pagtatanong...pagtatanong ko, pagtatanong ni Chairman, pagtatanong ni Congressman Dionisio, don't you find anything wrong with that Joint Circular? Puwede ko bang makuha iyong kasagutan ninyo? Wala po kayong nakikitang mali o hindi tama doon sa Joint Circular na iyon?

THE CHAIRPERSON. Sino po iyong pinaka-head ng COA, iyong pinakamataas po na nandirito? May we...could you please introduce yourself, Ma'am.

MS. SOFIA C. GEMORA (Director IV, National Government Audit Sector-Cluster 1, Commission on Audit). Your Honor, good afternoon, everyone. May I be recognized. I am Director Sofia Gemora of Cluster 1.

THE CHAIRPERSON. Director...

MS. GEMORA. Four.

THE CHAIRPERSON. Okay. Ma'am, nakapag-oath na po ba kayo?

MS. GEMORA. Yes, Sir.

THE CHAIRPERSON. Okay.

MS. GEMORA. The last time we were here, the last...preceding to this.

THE CHAIRPERSON. During the last hearing.

MS. GEMORA. Yes.

THE CHAIRPERSON. Opo.

MS. GEMORA. Yes, Your Honor.

THE CHAIRPERSON. Sige. You may continue, Ma'am.

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REP. ACOP. Tanong ko po, Madam—I would like to repeat it—sa pagtatanong namin dito sa hearing na ito, puwede ko po bang malaman kung wala po kayong nakikitang diperensiya doon po sa Joint Circular insofar as the liquidation of confidential funds is concerned?

MS. GEMORA. Your Honor, I would say that…the fact that my jurisdiction is on our regular audit. So, of course, you know that there are so many rules on those auditing rules when it comes to our regular audit and for that, the confidential funds, we are bound by the Joint Circular. So…

REP. ACOP. Hindi naman kami… Madam, let me cut you there.

MS. GEMORA. Yes.

REP. ACOP. Kasi ito na po iyong last na…ako na po iyong last na magtatanong tungkol sa confidential funds ng Office of the Vice President. Ang tanong ko po ay, after hearing…narinig ninyo na po lahat ng katanungan…kasagutan ni Atty. Camora sa aking mga…sa aming mga katanungan, don't you find anything wrong with that Joint Circular insofar as the liquidation of confidential funds is concerned?

MS. GEMORA. Well…

REP. ACOP. Walang mali? Walang diperensya? Ang tanong ko lang po naman is answerable by yes or no. Bakit hirap na hirap po kayong sumagot sa amin ng yes or no?

MS. GEMORA. Your Honor, with due respect, of course, with all your inputs here, even during the last hearing, so it would appear that when we…that we should have looked into the details which it is…we do it in a regular—what's this?—on a regular audit, the fact that you have said that how many—what's this?—the reasonableness of the payment for the safe houses provided by the Office of the (Vice) President with regards to the confidential funds. So, if we may relate that to looking into the…really, the details on…to substantiate…

(MS. MARICEL C. DATOON TOOK OVER)

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MS. GEMORA. (Continuing)...substantiate these expenses charged to the confidential fund, of course, in my opinion as an auditor for the regular audit, and all of your questioning earlier and even in the last hearing, I would say, of course, that the Joint Circular should be revisited and all the inputs here should be reflected in the Joint Circular, Your Honor.

REP. ACOP. Thank you, Madam Auditor, you have satisfied my question. Marami pong salamat.

MS. GEMORA. Maraming salamat din po for this opportunity.

REP. ACOP. Thank you, Mr. Chair.

THE CHAIRPERSON. Ma'am, I understand that you are not the only one who crafted the Joint Circular, am I correct?

MS. GEMORA. Yes, Sir.

THE CHAIRPERSON. So...

MS. GEMORA. The fact that it's a Joint Circular, it's crafted...

THE CHAIRPERSON. With...together with?

MS. GEMORA. ...together with the DILG, the Governance Commission for GOCCs, the National Defense, the DBM, and of course the Commission on Audit.

THE CHAIRPERSON. So, maybe, you could also give inputs to the other departments who are together with your commission to revisit the Joint Circular, tama po ba?

MS. GEMORA. Yes, Your Honor.

THE CHAIRPERSON. Thank you po. Yes.

We are now...We will proceed to the interpellation to the Department of Education.

But before we proceed, the Chair would like to recognize the presence of the Honorable Rolando Valeriano of the 2nd District of Manila, the Honorable Ramon Rodrigo Gutierrez of 1-Rider Party-List.

Okay, we will now proceed.

The first to interpellate, the Chair would like to recognize the Honorable Johnny Pimentel.

REP. PIMENTEL. Thank you, Mr. Chair.

My interpellation would focus on the implementation of infrastructure projects in DEPED. I would like to direct my questions to Mr. Epimaco Densing.

Mr. Densing, are you still connected with DEPED?

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MR. EPIMACO V. DENSING III (Former Undersecretary, School Infrastructure and Facilities, Department of Education). Your Honor, may I, Mr. Chair.

THE CHAIRPERSON. Yes, Mr. Epimaco Densing, you are recognized.

MR. DENSING. I left DEPED effective September 30, Your Honor.

REP. PIMENTEL. September 30, 2024?

MR. DENSING. 2024.

REP. PIMENTEL. Bakit po kayo umalis sa DEPED, Mr. Densing?

MR. DENSING. With the intention of running for public office, Your Honor.

REP. PIMENTEL. Hindi ba kayo tinanggal sa DEPED?

MR. DENSING. Ah, hindi po.

REP. PIMENTEL. Because from what I gathered, you were made to submit a courtesy resignation?

MR. DENSING. Opo, ahead, ahead, opo.

REP. PIMENTEL. Ahead, yes, you did?

MR. DENSING. Opo.

REP. PIMENTEL. And your courtesy resignation was accepted.

MR. DENSING. Tama po iyan.

REP. PIMENTEL. It is short of saying, a courteous way of saying that you are out of DEPED. Actually, from the information that I got, nakiusap ka pa na ma-retain doon sa DEPED…

MR. DENSING. Ah, no. No, hindi po.

REP. PIMENTEL. …but the Administration did not allow it. But, anyway…

THE CHAIRPERSON. Usec Densing, may I remind you to please address the Chair.

MR. DENSING. I apologize, Mr. Chair.

THE CHAIRPERSON. Okay. Thank you.

REP. PIMENTEL. Anyway, that is another matter.

Kailan po kayo na-appoint sa DEPED, Mr. Densing?

MR. DENSING. Effective…iyong document is July 18, 2022, and I acted as chief of staff until December 31, 2022.

REP. PIMENTEL. July 18, 2022 to September 30, 2024.

MR. DENSING. Opo.

REP. PIMENTEL. So, iyong first appointment mo pagpasok mo sa DEPED, anong binigay na posisyon sa iyo?

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MR. DENSING. Until December 31, chief of staff muna po ako dahil ina-arrange pa iyong mga…

REP. PIMENTEL. Chief of staff.

MR. DENSING. Opo, ina-arrange pa iyong mga bagong appointees at that time. I was the first appointee at that time, Your Honor.

REP. PIMENTEL. No, when you entered July 18, were you appointed as chief of staff, undersecretary…?

MR. DENSING. Undersecretary, chief of staff, yes.

REP. PIMENTEL. Undersecretary?

MR. DENSING. Chief of Staff, yes.

REP. PIMENTEL. Undersecretary for what?

MR. DENSING. Chief of staff.

REP. PIMENTEL. So concurrent iyon, undersecretary and chief of staff?

MR. DENSING. Tama po. That was the first position at that time.

REP. PIMENTEL. You served then as chief of staff of Vice President Sara?

MR. DENSING. Tama po iyan, as of December 31.

REP. PIMENTEL. So sabay kayong pumasok?

MR. DENSING. Ahead lang siya by…July 1 po siya, ako ay July 18, officially.

REP. PIMENTEL. Aside from the DEPED portfolio, ano pa ang government service na napasukan mo na?

MR. DENSING. Prior to DEPED, I was DILG undersecretary.

REP. PIMENTEL. From what year?

MR. DENSING. From 2018 to 2022. And I entered DILG as Assistant Secretary for Plans and Programs in 2016 to 2018.

REP. PIMENTEL. Prior to DILG appointment?

MR. DENSING. I was from the private sector, Your Honor.

REP. PIMENTEL. So, in short, as a government public servant, you only served as DILG assistant secretary and DEPED undersecretary?

MR. DENSING. Tama po iyon, eight years in total, Your Honor.

REP. PIMENTEL. Aside from being a chief of staff, ano pa ba ang designation sa inyo?

MR. DENSING. Noong first six months po in office, iyon lang po. Then, when the MATATAG Agenda was formulated, the form reform areas included infrastructure.

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So, by January 31, during the basic education report, I was announced to take care of the infrastructure strand; yeah, newly created, Your Honor.

REP. PIMENTEL. So what does that cover? You were in charge of the School Infrastructure and Facilities?

MR. DENSING. Tama po iyon.

REP. PIMENTEL. Is this a division or a department or a program? Ano bang ibig sabihin nitong school…?

MR. DENSING. It's a strand, Your Honor, like the curriculum and teaching strand, like the Administration strand. So it's a policy level position, Your Honor.

REP. PIMENTEL. So what covers…anong mandato mo dito sa School Infrastructure and Facilities?

MR. DENSING. It's to create policy on how infrastructure should be made, creating the long-term strategic direction. Nagkaroon kami ng comprehensive School Infrastructure Development Plan for 2030; then, coordination with DPWH, because the implementor of the new construction of DEPED is DPWH, not DEPED.

REP. PIMENTEL. Were you involved in the procurement of the school buildings?

MR. DENSING. No, Your Honor.

REP. PIMENTEL. But you were in charge of the allocation of the budget of the school buildings?

MR. DENSING. The identification, Your Honor, we have a committee to do that.

REP. PIMENTEL. And ikaw ang in charge doon sa identification?

MR. DENSING. Hindi. Ako po ang in charge, pero ang ibig sabihin, I had committee created for the identification.

REP. PIMENTEL. Okay. Ano ba ang mga programs doon sa school and infrastructure and facilities?

MR. DENSING. So, it includes, Your Honor, new construction implemented by the DPWH; then we have the school furnitures implemented by the regional offices; and we have the Last Mile School electrification, water systems implemented by the division offices.

REP. PIMENTEL. So if you started in 2022, in short, you handled the budget for 2023 and also for 2024, hindi po ba, for the school buildings?

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MR. DENSING. For the 2023 po, hindi po. The school buildings were under the administration strand. So I only took over 2023.

REP. PIMENTEL. What was the budget of the 2023 school building program?

MR. DENSING. The original budget was 5.9 billion. Iyon po ang nasa NEP.

REP. PIMENTEL. That was for 2023?

MR. DENSING. '23 po. I-explain ko lang iyong original po, 5.9 billion sa NEP. It was only limited to fifth and sixth class municipality. Then, pagdating po ng...paglabas po ng GAA, nadagdagan po ng 9.7 billion. So a total of 15.6 billion, 2023 GAA.

REP. PIMENTEL. For 2024?

MR. DENSING. For 2024, sa NEP po is 19.7. When the GAA came out, it became 24.7 billion for 2024.

REP. PIMENTEL. So covered iyon ng SIF iyong Basic Education Facilities Fund Program, hindi po ba?

MR. DENSING. Opo, opo, tama po iyon.

REP. PIMENTEL. So under din sa iyo iyon?

MR. DENSING. Ang alin po, iyong?

REP. PIMENTEL. Iyong BEFF...

MR. DENSING. Opo.

REP. PIMENTEL. ...the Basic Education Facilities Fund Program.

MR. DENSING. When you say BEFF, that means the total infrastructure program.

REP. PIMENTEL. But there is a discrepancy. Ang sabi mo kanina, 19.7 billion ang allocated.

MR. DENSING. NEP. NEP.

REP. PIMENTEL. But it states here that in the 2023 GAA, the amount of 23 billion 417 million 897 pesos was appropriated in the GAA for 2023.

MR. DENSING. Ah, Your Honor, that's BEFF. So that includes new construction, which is 15.6 billion; may electrification, may water system, may repairs na around 4.9 billion, and I think Last Mile School. So a total of 23 billion, Your Honor.

REP. PIMENTEL. So you were the one in charge for the identification?

MR. DENSING. Tama po iyon.

REP. PIMENTEL. Aside from the identification, ano pa ba ang mandato mo as undersecretary? What exactly your designation? Undersecretary for what...

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MR. DENSING. Undersecretary…

REP. PIMENTEL. …for operations, for administration?

MR. DENSING. Starting 2023…

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MR. DENSING. (Continuing)...starting 2023.

REP. PIMENTEL. So, sakop mo nga lahat ng mga school buildings?

MR. DENSING. Tama po, tama po.

REP. PIMENTEL. Okay. So, you were the ones who decided sinong bibigyan ng school buildings. Kasi sabi mo kanina, ikaw ang nag-a-identify. So, you were the ones...Kasi ang proseso po niyan, nagpapadala iyong mga schools superintendent division or other...the schools division in each district or in each province, they have proposals for the repair, for the construction, and it goes to your office. And then, ikaw ang nag-a-identify sinong popondohan dahil hindi naman puwedeng pondohan lahat, hindi po ba?

MR. DENSING. Tama po, tama po.

REP. PIMENTEL. Correct.

MR. DENSING. Pero for purpose...this purpose, Your Honor, I made sure that it is equitably allocated. That's why in August 4, 2023, we created a national technical working group composed of four area managers, members of the Education Facilities Division. Mayroong operations strand na outside, 'no, outsider sa SIF strand para po fair ang allocation and based on needs, and there's a criteria. The criteria is 70 percent should be allocated to those which are in makeshifts, iyong talagang walang classroom from the very beginning; and 30 percent allocated doon sa may shortage, kagaya ng two shifts, three shifts. Iyon po, shortage po iyon. So, naka-focus po doon.

REP. PIMENTEL. So, Mr. Chair, mayroong committee na nagde-decide?

MR. DENSING. Tama po iyon.

REP. PIMENTEL. Kung sinong bibigyan ng allocation?

MR. DENSING. Opo.

REP. PIMENTEL. Based on the proposed list of the divisions, hindi po ba?

MR. DENSING. Tama po. We assume na validated rin siya.

REP. PIMENTEL. So, in short, ikaw talaga ang nagde-decide kung sino ang binibigyan?

MR. DENSING. Once na nagawa na ng listahan ng...iyong komite, I just accept it as is, because I assume that they followed the criteria that we set.

REP. PIMENTEL. But, I think you're the one who is really deciding. Because if I recall, during the budget hearing, Mr. Chair, for 2023, ang pinadala po ni Mr. Densing during the party consultations...ah, pinadala ng DEPED during the party consultations, if you remember, for every budget hearings, before the Pre-Plenary

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budget hearings ay may pinapadala po na mga representative, in most cases, is the secretary. I recall, in 2023, during the budget deliberations, kayo ang pinadala na…regarding sa mga school buildings.

MR. DENSING. Tama po iyon. I remember that was, I think, third week of August, August 21 or 22. Tapos at that time, tapos na po iyong listahan na ginawa noong national technical working group. I think, the list was also around 15.1 billion. Iyon po ang prinisent *(present)* namin sa consultation.

REP. PIMENTEL. So, in short, you are really have a big role. You have the big role in identifying and allocating funds for the different divisions with regards to school buildings, hindi po ba?

MR. DENSING. Tama po, tama po.

REP. PIMENTEL. Ngayon, ang tanong ko, in the 2024 budget or the National Expenditure Program, there was an allocation for Surigao del Sur. In fact, two districts: one, in the amount of 103 million pesos for…if I'm not mistaken, Tagbina National High School; and, another 70 million pesos for Barobo National High School. But unfortunately…in fact, there was already a notice from DEPED to DPWH to conduct the biddings already. However, all of a sudden, the biddings were stopped, because accordingly, the funds are not available. Paano po nangyari iyon, Mr. Chair, eh, nakalagay na nga doon sa National Expenditure Programs, pagdating doon sa 2024 ay nawala iyong budget?

MR. DENSING. Ang nangyari po noon, Mr. Chair, sabi ko nga, mayroon na na-identify na 15.1 billion iyong national technical working group, which we adopted as is. Iyon po ang prinisent *(present)* namin sa mga ating Congressman.

REP. PIMENTEL. But, Mr. Chair, it was already included in the NEP, paano mawawala iyon kung…

MR. DENSING. Hindi, ang nangyari po, Mr. Chair, ganito, noong paglabas po ng General Appropriations Bill, iyong 19.7, naging 24.7 billion; pero iyong 14.7 billion, nagkaroon po ng Annex A. In other words, these are the projects identified by the various Congressmen. So, iyong aming 15.1, nawala. So, since nawala siya, ang una naming ginawa, iyong lahat noong may malalaking allocation na 100 million pataas, iyon ang una naming kinat *(cut)* para ma-allocate sa mga maliliit. So, iyong aming 15.1, at that time, naging 15 point…5.8 billion na lamang, lumiit po nang husto.

REP. PIMENTEL. So, Mr. Chair, in short, you took it upon yourself to cut the budget without notifying the Congressmen? Sabi mo kanina, mayroong mga

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identification iyong mga Congressmen, you took it upon yourself, being the head of the SIF, to cut the budgets of the different proposed school buildings, ganoon ba?

MR. DENSING. That was...sabi ko, there's no more budget in the General Appropriations Bill, we had to cut for...that everybody will also be allocated.

REP. PIMENTEL. So, how did you decide, Mr. Chair, kung anong puputulin...anong tatanggalin doon, anong bibigyan?

MR. DENSING. Well, ang decision lang muna is tanggalin iyong mga malalaki, which is iyong mga 100 million pataas, 80 million taas. Because, Mr. Chair, as I already mentioned, the policy was really to go multi-story, kasi wala na pong buildable space kaya medyo malalaki po iyong ating building ngayon to maximize buildable space. So, iyon po ang nauna, iyong mga 100 million pataas, 80 million pataas. Iyong natira, mga 50, 40 million na two-story...

REP. PIMENTEL. Eh, iyon nga...

MR. DENSING. ...three-story.

REP. PIMENTEL. ... ang tinanggal ninyo, eh. Iyong multi-story iyong tinanggal ninyo doon sa district ko, Mr. Chair. Iyon ang tinanggal ninyo.

MR. DENSING. Well...

REP. PIMENTEL. And no...not only that, there was also a 200 million peso-project in District 1 na tinanggal din ninyo.

MR. DENSING. Hindi ako familiar in detail, pero I don't remember there's a 200 million school building in any school for that matter.

REP. PIMENTEL. You know what, Mr. Chair, I'll give an explanation bakit ninyo tinanggal. Do you know a certain Mr. Greg Murillo?

MR. DENSING. Yes, Sir, Mr. Chair.

REP. PIMENTEL. Sabi ko kanina, Mr. Chair, the 180 million pesos was already included in the National Expenditure Program, but upon bidding, it was recalled. But prior to the bidding, this Mr. Greg Murillo, who is a close friend of Mr. Densing, called me, at ito ang sinabi niya, "Kamusta po kayo, Congressman?" Sabi ko, "Mabuti naman." "Congressman, mayroon pala kayong budget na 170 million pesos para sa district mo." O, sabi ko, "Iyon nga, naka-schedule na for bidding. In fact, bini-bidding na yata." "Ah, Sir, puwede daw muna kung mag-usap daw muna kayo ni Mr. Densing?" Those exactly the words of him. "Puwede tayong...magharap-harap tayo. Baka naman puwedeng makipagkita ka kay Mr. Densing." And sabi ko, "Para saan?" "Eh, alam mo na, may pag-uusapan kayo." Right there and then, I already knew anong pag-uusapan. Si Mr. Densing, hihingi ng komisyon. So, I told

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Mr. Greg Murillo, whom you admitted is your good friend, sinabi ko doon kay Mr. Murillo, "Why will I give money to Mr. Densing when this is already been allocated in the National Expenditure Program?"

So, I did not entertain that anymore. And, Mr. Chair, lo and behold, the funds did not come through. Kinansel *(cancel)* iyong bidding, and then, nawala na nga because I did not come across to the request of Mr. Densing na humihingi siya ng komisyon.

And not only that, Mr. Densing, hindi lang ako ang biktima niyan, marami pong mga Congressmen. And for the record, I want to put it in record, maraming mga Congressmen na nagsabi din sa akin that you approached them. In fact, there is one Congressman in Visayas that you were asking for 18 percent commission of these school buildings. Kasi ikaw nga ang nagdedesisyon *(decision)* kung sino'ng bibigyan, sino ang tatanggalan. In fact, it is on record, you just said kanina na ikaw ang nagdedesisyon *(decision)* kung sino'ng tatanggalan, sino'ng bibigyan. Not only that, sometime last year or probably within this year, you met with some of the Congressmen in Manila. I already talked to them. Humarap ka doon, may kasama ka pang contractor.

Do you know a certain Architect Ralph Tecson?

MR. DENSING. Yes, Yes, Sir.

REP. PIMENTEL. Yes. Iyon po ang kasama mo noong humarap ka sa Congressmen sa Manila. And just the same, you were implying, you were asking for a commission. Hindi lang iyon, sinabi mo pa na iyong contractor mo ang gagawa, itong si Mister...Architect...

(MS. LORILYN E. DE CASTRO TOOK OVER)

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REP. PIMENTEL. (Continuing)...Architect Ralph Tecson. And that is the reason why, Mr. Chair, tinanggal si Mr. Densing sa DEPED. He did not resign. I knew from the very beginning that he will be taken out because there were already anomalies in the distribution, in the allocation of school buildings program. In fact, Mr. Chair, *noong pag-alis niya sa DEPED may isa pang inipit na 34 million pesos sa Bislig Central* Elementary School which is in my district.

Now, I will not mention anymore the name, one official of the new administration sa DEPED called me, ano'ng sabi sa akin, Mr. Densing, "Cong., mayroon ka bang project na 34 million sa Bislig Central Elementary School?" Sabi ko, "Mayroon. Ano naka-bidding na? Hindi, in-stop nga, eh." "Eh, Sir, ito ilalabas na ho namin. Inipit ho ni Mr. Densing." And that is the reason why, Mr. Chair, this person was taken out of DEPED because of his anomalous practices in DEPED. Iyon po ang katotohanan niyan. Nakiusap ka pa na ma-retain ka pero hindi na tinanggap ni Senator Sonny Angara and that's good for DEPED because you have been doing the rounds. Para kang nagbebenta ng isda, inaalok mo sa lahat ng congressmen ang allocation ng school buildings asking for a commission.

MR. DENSING. Mr. Chair, may I now respond?

THE CHAIRPERSON. Yes, please respond.

MR. DENSING. Well, first of all, it's a blatant lie asking for commission. It is the very reason I'm process-oriented.

REP. PIMENTEL. Sasabihin mo, Mr. Chair, na...

MR. DENSING. Process-oriented po ako, Mr. Chair.

REP. PIMENTEL. ...ang mga congressmen...gusto mo mag-Executive Session tayo, ipapakita ko sa iyo ang mga congressmen na hiningan mo?

MR. DENSING. Sige. Wala ho akong nakausap.

REP. PIMENTEL. You are lying.

MR. DENSING. Iyong sa Manila ninyo, I was not...I was never with Architect Tecson.

REP. PIMENTEL. You are lying, Mr. Densing.

THE CHAIRPERSON. Order please.

REP. PIMENTEL. And I can cite you for contempt.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. One minute...

REP. ACOP. Mr. Chair.

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THE CHAIRPERSON. ...suspension is declared by the Chair.

Suspension: 12:40 p.m.

Resumption: 12:43 p.m.

THE CHAIRPERSON. Hearing resumes.

REP. PIMENTEL. Mr. Chair.

THE CHAIRPERSON. Congressman Johnny Pimentel.

REP. PIMENTEL. It would be useless for this Representation to ask further questions to the resource person because he is a pathological liar. What I will do, Mr. Chair, is gather more evidences to prove that what I am saying is true that Mr. Epimaco Densing is a very corrupt person. He is a scalawag in the public service. He has been asking commissions for the release of funds for the school buildings. Papatunayan ko po iyan sa next hearing. I'll gather more informations.

Ito pala ang sasabihin ko sa iyo, Mr. Densing, dapat huwag ka ng bumalik sa gobyerno. The government does not need your kind. You are a very corrupt person making your position to your advantage.

Iyon lang po, Mr. Chair.

THE CHAIRPERSON. Thank you.

We will now proceed to the next interpellator, the Honorable Senior Deputy Speaker, Congressman Dong Gonzales.

REP. A. D. GONZALES. Inom muna tayo ng tubig medyo...*(Laughter)*

Anyway, magandang tanghali po sa ating lahat.

Nakita ko lang po itong mga dokumento. Nandito ho ba si Usec. Sevilla?

Hi, Ma'am, good morning po...good afternoon po.

So, pang-ilang secretary ninyo na po sa DEPED ito at ilang taon na po kayo sa DEPED?

MS. ANNALYN M. SEVILLA (Undersecretary for Finance, Department of Education). Magandang hapon po, Mr. Chair, Your Honor.

I have been with the Department of Education for more than eight years and I have served for three secretaries already.

REP. A. D. GONZALES. So who are those three secretaries, Ma'am?

MS. SEVILLA. Your Honor, the first one is Secretary Liling Briones. The second one is VP Sara Duterte. And recent po ngayon si Secretary Sonny Angara.

REP. A. D. GONZALES. So are you the Usec for Finance, if I'm not mistaken, Ma'am?

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MS. SEVILLA. Yes, that's true po, Your Honor.

REP. A. D. GONZALES. So bilang Undersecretary for Finance, so you're one of the...crafting of the budget of the Department of Education at tumutulong po kayo sa fiscal year na dumarating. So, tama ho iyon, Usec?

MS. SEVILLA. Yes, Your Honor, that's true po.

REP. A. D. GONZALES. Well, nakita ko lang po dito, Madam Usec, kung maari po...kanino po kayo nakikipag-coordinate kapag prini-prepare ninyo iyong budget?

MS. SEVILLA. Your Honor, for the budget proposal, ang una po nating hihintayin is the budget call of the Department of Budget and Management. So, mag-i-issue po sila ng priorities, programs ng ating national government kasama na po doon iyong mga templates, forms, conditions, criteria. And then iyon po ay gagawin natin internally sa DEPED para ma-orient po lahat ng opisina natin na ito iyong magiging thrust or ito iyong direction ng national government. So, within DEPED, nakikipag-coordinate po kami sa colleagues or undersecretaries, assistant secretaries, regional directors para po kapag naggawa tayo ng budget proposal, ito po talagang galing doon sa pangangailangan noong opisina.

REP. A. D. GONZALES. And proposing amount per line item, of course, you have the basis, the expenditure of the preceding fiscal year. Iyon po ang palakad ng ating departamento, tama ho ba iyon?

MS. SEVILLA. Kasama po sa budget call ng Department of Budget and Management iyong tinatawag na Tier 1. Tier 1, ibig sabihin, iko-continue ninyo iyong operation ng...na lagi pong kailangan noong ahensiya. So Tier 1 po iyong mga regular programs. Tama po, Your Honor.

REP. A. D. GONZALES. Madam Usec, during the preparation of your budget like, for example, so to speak, this Fiscal Year 2023, did you propose a line item on Confidential Funds, Ma'am?

MS. SEVILLA. For 2023, we submitted in 2022. Ang submission po natin officially is May of 2022. So, wala po doon sa proposal namin iyong Confidential Fund.

REP. A. D. GONZALES. So kailan po ninyo naipasok iyong Confidential Funds?

MS. SEVILLA. Your Honor, technically, submitted na po iyong proposal ng 2023 by May. And then pagdating ng July, August, may bagong administration. So ang DBM po ay sumulat sa atin to confirm iyong proposal na sinabmit *(submit)* noong May.

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Now, noon pong sinabmit *(submit)* namin iyong proposal for 2023 in August, wala naman pong nakalagay na linya na Confidential Funds sa proposal pero noong lumabas po iyong NEP, National Expenditure Program, mayroon na pong nakalagay doon na confidential expense at 150 million.

REP. A. D. GONZALES. So, Usec, do you confirm that this was the first time that DEPED proposed an item of Confidential Funds, Ma'am?

MS. SEVILLA. Yes, Your Honor. First time po sa Department of Education na magkaroon ng Confidential Fund.

REP. A. D. GONZALES. So kailan po iyon naipasok? That was 2023.

MS. SEVILLA. National Expenditure Program, NEP 2023 po.

REP. A. D. GONZALES. So, how the amount determine? Papaano dini-determine at papaano ninyo ho nilalagay sa line item? Did you enter in the budget of DEPED? And then what's the cause of this insertion, Ma'am? Ano ang formula to put it as a line item of the CF?

MS. SEVILLA. Respectfully, Your Honor, I would like to defer to DBM, to the Department of Budget and Management, kasi sila na po iyong nagpasok noong line item na Confidential Fund sa NEP, if I may, Your Honor.

REP. A. D. GONZALES. Yes, Mr. Chair. Mr. Chair, I know that this point has been repeated over and over again, but I invite everyone to another angle here, the amount of Confidential Funds that the DEPED would have appeared to have been arbitrary set and would appear that it was arbitrary set by the former Secretary and now Vice President.

Ma'am, as a Usec for Finance, what was your involvement with respect to the Confidential Funds of the Department of Education?

MS. SEVILLA. When it was already...Your Honor, when it was already included in the GAA of 2023, our role will be to process and release the fund in compliance with the joint circular on the Confidential Fund.

REP. A. D. GONZALES. So, in your recollection, Ma'am, in the year 2023, how many checks did you sign for the Confidential Funds?

MS. SEVILLA. Per the provision of the joint circular, allowed po kami na mag-issue ng cash advance for three months. So, per quarter. At tatlo po iyong tseke na na-issue po namin for the first, second...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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MS. SEVILLA. (Continuing)... first, second, and third quarters of 2023, Your Honor.

REP. A. D. GONZALES. So, meaning to say, 12 months divided by four, that is equivalent to three months?

MS. SEVILLA. Yes...

REP. A. D. GONZALES. Tatlong...

MS. SEVILLA. ...Your Honor.

REP. A. D. GONZALES. Tatlong tig- 37.5 iyong in-issue mo?

MS. SEVILLA. That's correct, Your Honor.

REP. A. D. GONZALES. So, ilang signator...signatories po sa tseke ang pumipirma 'pag iyong tseke for the CF, Madam Usec?

MS. SEVILLA. Ah, the same with regular funds po. Ang template ng ating tseke ay dalawa ang magsa-sign. Sa Department of Education mayroon po tayong signing authority. Kapag po 10 million and below, ako po at saka iyong aming accountant or the finance director. Kapag 10 million and up po, ako po or any other undersecretary can sign the check po.

REP. A. D. GONZALES. Tama ho ba na kasama si Usec Mercado sa pagpirma ng tseke?

MS. SEVILLA. Yes, Your Honor. Siya po iyong co-signatory doon sa tatlong tseke po for the Confidential Fund.

REP. A. D. GONZALES. Thank you po.

Isa-isahin lang po natin itong mga tseke. Ito iyong tseke na pinirmahan po ni Usec Mercado para sa first quarter ng 2023. Tama ba ito iyong unang 37.5 million ng Confidential Funds at ito ay nasa...na-issue sa pangalan ni Mr. Edward Fajarda. Tama po ba? Nasa screen po yata. Tama po ba, Madam Usec?

MS. SEVILLA. Ah...

REP. A. D. GONZALES. Pakitingnan po.

MS. SEVILLA. February 20, 2023, opo. Sa pangalan po ng Special Disbursing Officer Edward Fajarda.

REP. A. D. GONZALES. So, that was February 20, 2023?

MS. SEVILLA. Opo.

REP. A. D. GONZALES. Ang tseke na ito ay may corresponding disbursement voucher, tama?

MS. SEVILLA. Mayroon po, Your Honor.

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REP. A. D. GONZALES. At ikaw rin ang signatory ng disbursement voucher na ito. Tama ho ba, Ma'am?

MS. SEVILLA. Ah, sa disbursement voucher po marami pong naka-sign. Iyon pong nare-request, pang-una. Susunod po iyong accountant para sabihin na kumpleto iyong supporting documents sa hinihingi na babayaran or idi-disburse. At pangatlo po, ako, iyong approval po dahil sa level ko po itong 37.5 million, Your Honor.

REP. A. D. GONZALES. So, meaning talagang dadaan po iyan sa accounting?

MS. SEVILLA. Yes po.

REP. A. D. GONZALES. Ang check na ito ay corresponding disbursement voucher at ito rin ang mga signatories sa disbursement voucher. At ito'y nakakalaman ng presyo ng 37.5 million. Tama ho ba, Madam Chair?

MS. SEVILLA. Tama po, Your Honor.

REP. A. D. GONZALES. Usec, I am a little confuse. Ah, I do not see where it is disbursement voucher states na para sa Confidential Fund, ang nakalagay po dito ay MOOE, which means Maintenance and Other Operating Expenses. Na—para po ba sa kaalaman ng ating mga kababayan— ay category…ay category of expenditures relating to operations of government agencies just such as expenses for supplies and materials, transportation and travel, utilities, related po ito sa regular funds at hind isa Confidential Funds. Tama ho ba?

MS. SEVILLA. Your Honor, iyon pong disbursement voucher ay ginagawa ng mga end-user or ang ibig sabihin kung sino po iyong magre-request ng…magpa-issue ng tseke. So, iyong pong particulars dito, would be…would be supplied by the end-user.

But nakita naman po namin when it went to the accounting, kahit hindi po nakalagay na Confidential Fund, nakalagay naman po doon iyong reference ng…kung nasaan iyong Confidential Fund. For example, Your Honor, makikita po dito sa third line, under page 376 of RA 11936, iyon po iyong GA 2023, saka iyong section, Section 85 ng General Provision. Kapag tiningnan po iyon, nakalagay po doon Confidential Fund.

REP. A. D. GONZALES. Can you please define the Fund 101, Fund 10T…102, and Fund 105?

MS. SEVILLA. Fund 101 are funds for the regular operation of the department po. So, ibig sabihin, ito po iyong pondo na puwede natin gamitin para sa regular

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operation at program ng agency. Iyong Fund 102 po, ay pang-foreign assisted projects. So, 'pag mayroon pong mga loans or proceeds na nanggagaling sa mga bilateral or multilateral resources, iyon po iyong 102. Mayroon din pong trust receipts at ito po iyong 151 or 152. Iyon po iyong classification ng mga pondo.

REP. A. D. GONZALES. So, meaning to say iyong ginawa nating voucher is under Fund 101?

MS. SEVILLA. Yes, Sir. Opo, this is Fund 101.

REP. A. D. GONZALES. Ah, Usec, ito...kung nakabase sa Fund 101, and this is a Confidential Fund, papaano process nito? Ah, may magsasabi ba sa iyo Usec Sevilla, "Please, prepare the voucher and lagay po ang...i-pay...i-payable natin kay Mr. Fajarda...Edward Fajarda." Papaano ninyo ho ba nag-e-emanate itong voucher? How did it start, may nagbibigay ng instruction from other Usec or sa secretary mismo?

MS. SEVILLA. Ah, for the Confidential Funds, talaga po ang sinusunod namin iyong joint circular. Nakalagay din po sa joint circular iyong steps kung papaano ilalabas iyong pera or idi-disburse iyong pera.

So, magsisimula po, Your Honor, on the identification of the SDO or the special disbursing officer. So, mayroon po dapat na, ah, pirmado, authorized by the head of agency na siya iyong ina-identify na special disbursing officer. So, we were informed of that through a memo.

Second is...kailangan po naka-bonded or mag-a-apply ng fidelity bond iyong ating special disbursing officer. So, mayroon din pong application iyong SDO at approved din po ito ng Bureau of Treasury, iyon po iyong susunod na hahanapin namin.

And then, susunod po, would be the obligation request. Ibig sabihin magpapa-obligate siya, magpapa-release, and then ito pong disbursement voucher. So, lahat po iyon, would be signed by the head of agency as indicated po dito sa ating joint circular.

REP. A. D. GONZALES. So, tama ho...tama ho, I agree that. Kapag gagawin ninyo iyan si Mr. Edward Fajarda nakapangalan sa payee, pero kayo ang magpapa-approve and, of course, sign by the Secretary and, of course, the Vice President of the Republic of the Philippines, Sarah Duterte...Vice President Sarah Duterte.

So, pagkatapos po nito ma-approve, si Mr. Edward Fajarda ho ba ang nagkle-claim sa cashier to get the check?

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MS. SEVILLA. Ah, I think, Your Honor, kung babalik po natin doon sa disbursement voucher—if I may request, Your Honor—you can see that at the bottom...sa bottom po niyan mayroon pong receipt of payment. Iyon po. Sige pa po. Receipt of... Iyon.

REP. A. D. GONZALES. Sino ang nakatanggap?

MS. SEVILLA. Iyon.

REP. A. D. GONZALES. Kaninong signature lang po iyan? Walang pangalan.

MS. SEVILLA. Kay Sir Edward Farada po iyan. Kailangan niyang i-sign na natanggap na po niya iyong tseke.

REP. A. D. GONZALES. So, siya ang nakatanggap ng tseke?

MS. SEVILLA. Opo.

REP. A. D. GONZALES. And then si Mr. Fajarda pagkatanggap ng tseke, hindi ho siya mag-issue ng resibo?

MS. SEVILLA. Ah, hindi na po, Your Honor. Kasi ito na po iyong proof na natanggap niya iyong tseke as cash advance. Tapos hawak niya ang tseke, siya na po magpapa-in cash po nito.

REP. A. D. GONZALES. Ah, Mr. Fajarda, siya ang SDO natin? Siya ang Special Disbursing Officer po natin, tama po ba?

MS. SEVILLA. Your Honor, siya po ang authorize SDO po natin.

REP. A. D. GONZALES. Okay.

And then Mr. Fajarda, pagkakuha ng tseke dadalhin niya iyong tseke sa Landbank? Landbank check po iyon, 'di ba?

MS. SEVILLA. Ah, opo, but...ang finance po kasi magtatapos na po sa disbursement voucher 'pag nai...nakuha na po iyong tseke pupunta na po ito sa cash.

REP. A. D. GONZALES. Kaya nga. Ang tinatanong ko po iyong cashier, kung anong tsekeng gagamitin niya? Kung gagamitn ang DBP, Landbank...dalawa po iyan, 'di ba? Landbank po siguro iyan. Anong tseke po ginagamit?

MS. SEVILLA. Ah, opo. Landbank check po kami. Iyon po ang bank account ng DEPED.

REP. A. D. GONZALES. So meaning to say, Landbank po iyong ginamit, worth 37.5. At iyong 37. 5 na iyon dadalhin ni Mr. Fajarda sa Landbank. So, papaano pa niya ho pinapa-in cash ito? Binibigay siyempre cash iyan. Papain-cash mo iyong tseke sa counter ng Landbank, ibibigay niya iyan cash, 'di ho ba, Madam Chair?

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MS. SEVILLA. Ah, yes, Your Honor.

REP. A. D. GONZALES. Madam Usec, sorry, yeah.

MS. SEVILLA. Opo. Yes, Your Honor, the records will show under the cash division na ito rin po ay na-in cash.

REP. A. D. GONZALES. So, na-in cash?

MS. SEVILLA. Opo.

REP. A. D. GONZALES. So...Andiyan ho ba si Mr. Fajarda? Si Mr. Fajarda? Si Mr. Edward Fajarda, na andito po ba?

THE COMMITTEE SECRETARY. Not present. Not present.

REP. A. D. GONZALES. Ah, not present. Hindi ba tayo nagpadala ng imbitasyon po kay Mr. Fajarda?

THE COMMITTEE SECRETARY. Your Honor, invitation was sent. We...Committee also issued a *subpoena ad testificandum* to compel his appearance in the next hearing, Your Honor.

REP. A. D. GONZALES. Kasi siya ang makakasagot sa tanong ko, eh.

Ah, 'pag halimbawang pina-in cash niya iyong tseke, siyempre tatanggapin niya iyong 37.5, papapirma ng banko. Medyo mabigat-bigat po ito, 37.5 million, kailangan may kasama siya. At I went in DEPED building already how many times, wala naman pong elevator iyong DEPED office ninyo, 'di ba? Hagdan lang...

(MS. JOAN E. GRUTA TOOK OVER)

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REP. A. D. GONZALES. (Continuing)... hagdan lang po, hindi ba? Wala namang elevator. So, papaano niya hong kinakarga iyong 37.5 million, saan niya dinadala? May office ho ba sa DepEd si Mr. Fajarda?

MS. SEVILLA. Opo. May opisina po siya. Executive Assistant po siya under the Office of the Secretary, but I wouldn't know po the circumstances after po ng issuance ng check ng Finance. So, hindi ko po... apologies po, hindi ko mako-confirm or masasagot kung papaano po ito nae-encash or nadadala.

REP. A. D. GONZALES. So, medyo mabigat-bigat ho ito kung tatlong beses kayo nag-issue ng 37.5 na tatlong tseke, tatlong beses niya kinargahan iyong 37.5 million from Land Bank from his office in DepEd, dumadaan siya ng hagdan. Tama po ba, Madam Usec?

MS. SEVILLA. Your Honor, hindi ko po...

REP. A. D. GONZALES. Hindi ninyo ma-confirm kasi wala si...

MS. SEVILLA. Hindi ko po ma-confirm, Your Honor po. Pasensiya na po.

REP. A. D. GONZALES. Well, anyway, at least po, itong tatlong tseke, tatlong voucher, signed by the secretary, signed by the two usecs iyong voucher, at pinirmahan po itong tseke ay katunayan po at natanggap po itong 37.5 times three, that is equivalent to 112... 112.5 million total ang natanggap na tatlong tseke ni Mr. Fajarda.

So, Madam Sevilla, sa pagkaintindi ko sa sort of program of being done in confidential funds came in and the difference, what's... and the different before was that the military that was administering the program, am I correct? Ang military po ang nagbibigay...binibigay ni Mr. Fajarda sa mga military para sa mga programa ng ating... ibang programa ng DepEd?

MS. SEVILLA. Unfortunately, Mr. Chair, I have no knowledge on the utilization of the fund kasi hindi po talaga kasama ang Finance sa pag-utilize. In fact, pati po iyong liquidation at saka reporting, hindi po iyan pupunta sa DepEd. Wala pong record na makikita sa accounting or budget on the utilization or liquidation. Ang bibigay po sa amin para makuha iyong susunod na tranche ng tseke is the proof na na-submit ang report sa Commission on Audit na ICFAO, iyon pong sa opisina nila. Ang ibibigay po sa amin would be the cover letter na na-receive ng ICFAO iyong utilization report and the liquidation. Pag po nabigyan kami ng kopya na iyon, puwede nang i-process iyong susunod na tranches po, Your Honor.

REP. A. D. GONZALES. So, if there's a specific department under the Department of Education that is in charge with expedinture of confidential funds, how

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about the Operations Department? May alam po ba kayo doon sa confidential funds kung kanino nila... sino ang usec of Operations ng fiscal year 2023 para doon sa confidential funds at kanino nila binibigay?

MS. SEVILLA. Honestly, I do not know how to answer that, Your Honor. Kung usec for Operation ng regular mandate ng DepEd, may usec po for Operation. Pero kung who is in-charge of the operations for confidential fund, hindi kami aware or hindi iyan dini-discuss sa amin sa regular... regular meetings ng mga undersecretaries.

REP. A. D. GONZALES. Ma'am, are you familiar with the National Task Force to End Local Communist Armed Conflict or the NTF-ELCAC. Parte po ba ng NTF-ELCAC ang DepEd, tama po ba, Madam Usec? And this NTF-ELCAC has been existing since 2018? Tama po ba, Madam Usec?

MS. SEVILLA. Yes, Your Honor. I'm aware of the NTF-ELCAC because may kasama pong pondo iyan sa GAA. Doon ko po siya nae-encounter. I am also aware, during the time of Secretary Liling Briones ay member po siya ng NTF-ELCAC and I remember, including our former VP Secretary, I am just confirming from our Chief of Staff before, yes po, kasama daw po ang DepEd sa NTF-ELCAC din.

REP. A. D. GONZALES. Sa pagkakaaalam ninyo, Usec, ano ang role ng NTF-ELCAC? Hindi po ba ito related doon sa apat na programa ng... kung saan ginagamit ang confidential fund ng DepEd, Madam Chair... Madam Usec, sorry.

MS. SEVILLA. Your Honor, as far as iyon pong budget ng DepEd na regular is concerned, wala po kaming ginagastos for NTF-ELCAC. Iyon po ang puwede kong masagot. Pero kung ano po iyong role ng DepEd Secretary sa NTF-ELCAC, hindi po kasi ako involved. I was never called or present in any meeting na dini-discuss po ang NTF-ELCAC matters.

REP. A. D. GONZALES. Kung alam ninyo po iyong programa sa DepEd, and it was organizing and coordinating the execution of the project, what department under Department of Ed itong nag-e-execute nito?

MS. SEVILLA. As I... this is how I understand the question, Your Honor. NTF-ELCAC... participation of DepEd in the NTF-ELCAC is through the Office of the Secretary only. So, baka po mas relevant po na magbigay ng inputs iyong ating former chief of staff kasi sila po ang uma-attend ng NTF-ELCAC, Your Honor.

REP. A. D. GONZALES. Madam Usec, the matter of confidential funds has garnered a lot of attention these days, especially the unprecedented inclusion of confidential funds sa DepEd. Ayon sa impormasyon po na nakalap namin, itong mga confidential funds ay ginamit po for four programs: number one, the abuse prevention

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and control within schools; number two, the anti-extremism terrorism program; number three, the anti-illegal activities operations; and number four, the counter-insurgency programs and parte po ito, ang mga programa na binibigyan ng training, ang mga teacher at estudyante para i-combat ang recruitment ng extremist or terrorist group of recruitment. Tama ho ba, Madam Chair?

REP. ABANTE. SDS.

REP. A. D. GONZALES. Yes.

REP. ABANTE. Mr. Poa would like to, I think, answer that question.

MR. MICHAEL WESLEY P. POA (Former Undersecretary and Chief of Staff, Department of Education/Spokesperson, Office of the Vice President). Mr. Chair, thank you, if I may be recognized.

I was the chief of staff... undersecretary and chief of staff of the Vice President that time, but I only started kasi April 1 po 2023. So, on the question on NTF-ELCAC kasi kahit po ako, I am not involved in the operations mismo of the confidential funds. So, I have no details on that. But on the NTF-ELCAC, I would remember that one project, at least, that of my personal knowledge is, we had a joint press conference with NTF-ELCAC po sa DepEd regarding iyong mga programa nila again sa anti-extremism, insurgency. At least, to the best of my knowledge, iyon po iyong isang naging proyekto with NTF-ELCAC. Nag-joint press con po kami. At that time, I was still spokesperson. Opo. Just to add to the ano po.

Thank you po.

REP. ABANTE. Thank you.

REP. A. D. GONZALES. Thank you, Mr. Poa. Thank you, Mr. Chairman.

Well, I just continue.

So, Madam Usec, Mr. Chairman, so, ibig sabihin, iyong 37.5 ay pag gumagawa ho kayo ng tseke, ng voucher, meron hong particulars na naka-attach iyan. Iyan ba, eh, puro voucher lang po iyan and you will type it na payee, Mr. Fajarda? Wala hong attachment ho iyan?

MS. SEVILLA. Yes, Your Honor. For the... we are compliant with the joint circular. Sa amin po ang naka-attach lang would be the authority kung sino po iyong special disbursing officer. Second is the obligation request. Third is the disbursement voucher at iyon pong certification na na-submit na iyong report sa COA. Iyon lang po ang kailangan namin.

REP. A. D. GONZALES. Ano po iyong circular na sinasabi ninyo? Hindi ko po masyadong alam.

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MS. SEVILLA. Iyon po iyong joint circular on the release, utilization, monitoring, liquidation, reporting, accountability of the confidential and intelligence fund that Commission on Audit, DBM, DILG, GCC… GCG, Department of National Defense, Joint Circular No. 2015-01, Your Honor.

REP. A. D. GONZALES. So, iyon po. So, ang mga payables po ninyo ginagamit ninyo talaga tseke? Papaano ninyo ginagamit iyong mga tseke ninyo, sa MOOE lang, sa accounts payables? Papaano ninyo ginagamit iyong mga check for paying other suppliers or papaano, mga payroll? Paano ninyo ginagamit iyong mga check?

MS. SEVILLA. Yes. Tama po, Your Honor. The checks are used for all programs and projects and activities. So, puwede pong MOOE, puwede rin pong payroll, sa suweldo. Puwede pong sa supplier, puwede sa contractor.

In this case, kasi po nakalagay sa joint circular…

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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MS. SEVILLA. (Continuing)...Joint Circular na ang confidential fund should be in the form of cash advance.

REP. A. D. GONZALES. Yeah.

MS. SEVILLA. So, 'pag cash advance, tseke po talaga ang dapat na ilabas, under the name of the authorized special disbursing officer. So, iyon po iyong procedure na sinusunod namin based on the COA policy.

REP. A. D. GONZALES. Sinabmit *(submit)* ninyo na po ba iyong mga attachment na 37.5 kung saan ginamit iyon?

MS. SEVILLA. Wala po kaming copy noon, Your Honor. Ang kung saan...kung sino... Ang magre-report po kung saan siya ginamit would be the special disbursing officer and the head of agency at ito po'y sinasabmit *(submit)* sa COA Chairperson...Chairman through the ICFAO. Iyon po iyong opisina.

REP. A. D. GONZALES. So, ang talagang makakasagot dito ay si Mr. Fajarda?

MS. SEVILLA. Yes, Your Honor.

REP. A. D. GONZALES. Kasi siya ang disbursement officer.

MS. SEVILLA. Opo.

REP. A. D. GONZALES. Tama ho ba?

MS. SEVILLA. Tama po, Your Honor.

REP. A. D. GONZALES. Well, 'di ba 'pag nagbabayad tayo sa gobyerno, mayroon tayong tinatawag na ADA, mayroon tayong tinatawag na LDDAP, L-D-D-A-P, meaning to say, List of Due and Demandable Accounts Payable, or the Advice to Debt Account? Hindi ho puwedeng i-apply iyan na...i-deposit mo na lang as ADA, iyong 37.5 million? Bakit tseke pa ginagamit natin?

MS. SEVILLA. Your Honor, that will not be compliant with the Joint Circular because the Joint Circular specifically provided under Section 6 of Joint Circular 2015-01, the grant of the confidential fund is only through cash advance. So, hindi po pupuwede ang ADA, hindi rin po pupuwede iyong List of Due and Demandable Accounts Payable, only through check po, Your Honor.

REP. A. D. GONZALES. So, talagang cash po talaga iyan kasi cash advance.

MS. SEVILLA. Cash po talaga, Your Honor.

REP. A. D. GONZALES. Okay. So, Mr. Chairman, that's all.

And the summary of my interpellation: Usec. Sevilla prepare a check, prepare the voucher and sign the check by Usec. Sevila and Usec. Mercado, and received by a certain, the SDO, Mr. Fajarda, and Mr. Fajarda is the one who encashed the check

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from Land Bank, and kinuha niya iyong pera. At, Mr. Chairman, iyong 37.5, ewan ko, ikaw, kung kaya mong buhatin iyon from the Land Bank. Alam ko may Land Bank office sa baba ng DEPED, bubuhatin mo iyon sa opisina ni Mr. Fajarda.

So, I don't know, kaya gusto ko hong i-invite, Mr. Chairman, si Mr. Fajarda kung papaano niya binuhat itong 37.5 million nang tatlong beses, na na-issue ni Ms. Annalyn Sevilla, ang ating Undersecretary, at ang ating former Undersecretary na si Ms. Mercado.

So, on that note, Mr. Chair, malinaw po na ginawa po iyong tatlong voucher at saka tatlong tseke ni Usec. Sevilla at Usec. Mercado, and then encashed by Mr. Fajarda.

So, iyon lang po. Maraming salamat po.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Thank you, SDS.

Yes, with the indulgence of Congressman Benny Abante.

REP. ABANTE. I would like to make a motion that we invite in the next hearing Mr. Edward Fajarda.

THE CHAIRPERSON. We are…

REP. ABANTE. So moved.

THE CHAIRPERSON. We already issued a subpoena *ad testificandum.*

REP. ABANTE. Subpoena.

THE CHAIRPERSON. Yes. Yeah. It was a subject of a man…motion a while ago. So, we have already issued the subpoena *ad testificandum* to Mr. Fajarda.

REP. ABANTE. To appear before this Committee.

THE CHAIRPERSON. To appear. If in the event na hindi po siya um-attend, we will be constrained to issue a con…

REP. ABANTE. Contempt order.

THE CHAIRPERSON. Contempt order to Mr. Fajarda.

Next to interpellate, Congressman Luistro.

REP. GERVILLE "JINKY BITRICS" R. LUSTRO. Thank you, Mr. Chair.

My questions are for Major General Nolasco A. Mempin. Good afternoon, Sir.

MR. NOLASCO A. MEMPIN (Retired Undersecretary for Administration, Department of Education). Good afternoon, Ma'am, Your Honor.

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REP. LUISTRO. You are the former Undersecretary for Administration of the Department of Education. That was during the stint of former Secretary, Vice President Sara Duterte, do you confirm?

THE CHAIRPERSON. Major General…

MR. MEMPIN. Major General…former Major General Nolasco Mempin…

THE CHAIRPERSON. …Nolasco, you are recognized by the Chair.

MR. MEMPIN. …Your Honor…Mr. Chair.

REP. LUISTRO. Mr. Chair.

THE CHAIRPERSON. Please answer the question of Congresswoman Luistro.

MR. MEMPIN. Yes, Your Honor.

REP. LUISTRO. So, you confirm having been appointed as Undersecretary for Administration of DEPED. That was during the time of former Secretary, Vice President Sara Duterte.

Let us go back to your career in the AFP, General Mempin.

MR. MEMPIN. Yes, Mr. Chair.

REP. LUISTRO. Back in 2017, nasaan po ba kayo, General Mempin?

MR. MEMPIN. In 2017, Ma'am, initially, I was assigned in 10th Infantry Division as the Chief of the Governance and Strategy Management Office effective January 2017, then by August of the same year, I was designated as the Commander of Task Force Davao in Davao City, Mr. Chair.

REP. LUISTRO. So, the first appointment in 2017 was at the 10th Infantry Division?

MR. MEMPIN. Correct, Your Honor.

REP. LUISTRO. 'Pag sinabi po ba natin, General Mempin, 10th Infantry Division, what areas are covered?

MR. MEMPIN. The 10th Infantry "Agila" Division covers the whole of Region XI and part of Region XII, part of Region X, and part of Region XIII, CARAGA, Your Honor.

REP. LUISTRO. And can you please cite some of the big provinces which are under these regions, General Mempin?

MR. MEMPIN. Mr. Chair, Your Honor, for Region XI, it covers Davao City, Davao Del Norte, Davao Del Sur, Davao Occidental, and Davao Oriental. It also includes parts of Bukidnon, but greater part of Bukidnon is under 4th Infantry Division, and part of North Cotabato, Ma'am.

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REP. LUISTRO. And for Region XII, General Mempin?

MR. MEMPIN. Region XII is part of Cotabato, Ma'am.

REP. LUISTRO. And Region XIII.

MR. MEMPIN. Region XII is part of Agusan Sur and part of Surigao Del Sur, Ma'am.

REP. LUISTRO. Can you please be specific about the inclusive period when you were the Commander of the 10th Infantry Division which covers Regions XI, XII and XIII?

MR. MEMPIN. I was designated as Commander of the 10th Infantry Division in February of 2022 until my retirement in January 28, 2023, Ma'am, Your Honor and Mr. Chair.

REP. LUISTRO. Earlier, you mentioned about 2017, and you were likewise at the 10th Infantry Division. What specific assignment do you have during that time?

MR. MEMPIN. From 2017, Ma'am, I was assigned as the Commander of Task Force Davao, in charge of covering... Actually, it only covers the Downtown Davao, in charge of the Anti-Terrorism Unit of the Armed Forces because of the series of bombing...because Task Force Davao was established in 2003. Then after that, in 2019, I was...after my stint at the Task Force Davao, I was designated as the Commander of the 10th or 3rd Infantry Brigade, covering parts of Davao Region, Davao del...specifically, Davao Del Norte, parts of Davao Oriental, parts of the...the northern or the mountainous area of Davao City, and then some parts of Bukidnon, and some parts of North Cotabato, Ma'am.

REP. LUISTRO. So, would it be correct to say, 2017, General Mempin, you were heading the Task Force Davao, primarily in charge with Davao City, and the major parts of the Davao Region. Do you confirm that?

MR. MEMPIN. Ma'am, for clarification, Mr. Chair, during my stint as Task Force Davao, it only covers the downtown because Davao City is divided...

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MR. MEMPIN. (Continuing)...divided into three areas. It has downtown, midtown and the uptown. The midtown is the...the downtown is the central district. Then, midtown and uptown are those areas...

REP. LUISTRO. So which part are you in charged with?

MR. MEMPIN. So for 2017, Ma'am, 2017 until 2019, in...

REP. LUISTRO. Midtown, uptown or downtown?

MR. MEMPIN. Downtown, downtown, during Task Force...

REP. LUISTRO. So you were in charge of downtown in 2017...

MR. MEMPIN. Until...

REP. LUISTRO. ...as the head of Task Force Davao.

MR. MEMPIN. Correct, Ma'am, Your Honor.

REP. LUISTRO. And then, sometime in 2019, you became in charge of the 10th Infantry Brigade covering most parts of Davao Region.

MR. MEMPIN. Not yet Ma'am. 2019, I was designated as the brigade commander. Brigade commander is under the 10th Infantry Division still, covering Davao, some parts of Davao Region, specifically Davao del Norte, Davao Oriental and...ah, not Davao Oriental, Davao del Norte...

REP. LUISTRO. Yes, General, you have stated that already.

MR. MEMPIN. Yes, Ma'am.

REP. LUISTRO. And then, for 2022, this is the time that you were in charge of the 10th Infantry Division covering the Regions XI, XII and XIII?

MR. MEMPIN. That's correct, Your Honors, Mr. Chair.

REP. LUISTRO. And, of course, I just wish to manifest that during this time, 2017 to 2022, the president was former President Rodrigo Roa Duterte?

MR. MEMPIN. Yes, that's correct, Your Honor, Mr. Chair.

REP. LUISTRO. And for Davao City, the mayor during that time was our Vice President Sara Duterte?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. And considering that you are taking care of the regions the provinces and the city, which are considered to be the hometown of the president, may I know was there any marching order coming from the president having assigned to those places?

MR. MEMPIN. None...Actually, because...as member of the Armed Forces, our main objective is to ensure...to protect the people and secure the territory for our sovereignty. So, basically, for the Army or the 10th Infantry Division, our focus is on

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insurgency problem. While in Davao City, during my stint as Task Force Davao Commander, it's for the extreme terrorism, like bombing, of extreme terrorism…

REP. LUISTRO. With all due respect, General Mempin, I hope you will be responsive to the question because Davao, of course, is the place of the former president. So this Representation is interested whether in your assignment in 2017, 2019 and 2022, all pertaining to Davao Region, mayroon po bang specific na marching order ang presidente considering that these places are his home places?

MR. MEMPIN. I have not received any specific instructions but as…

REP. LUISTRO. Thank you, General Mempin. I think you have answered the question already.

MR. MEMPIN. Thank you, Your Honor, Mr. Chair.

REP. LUISTRO. How about any marching order from the Vice President during you stint as Task Force Davao head?

MR. MEMPIN. The only instruction that I received during our assumption or during my assumption as Task Force Davao Commander is to have zero bombing incident, because she said if there is bombing incident in Davao City, then you failed your mission as commander of Task Force Davao. So zero bombing, that's the specific instruction of former Mayor Sara Duterte, Your Honor.

REP. LUISTRO. I wish to remind you of the article which was published in SunStar. Ang sabi po ng ating Bise Presidente, na noon ay city mayor, kayo po ang head ng Task Force Davao, "Don't sleep, don't breath, don't embarrass me." Do you confirm that?

MR. MEMPIN. That's correct. I still have the newspaper on that, Ma'am.

REP. LUISTRO. Now, please enlighten us, walk us through, during that time that you were assigned in Davao City and the rest of the areas of Davao Region, how will you describe the peace and order situation in Davao?

MR. MEMPIN. In Davao City, Ma'am, actually, when I first arrived, because I was also assigned in Davao Region for a short stint in 2008, the first thing that I noticed in Davao…

REP. LUISTRO. With all due respect, Mr. Chair, let us remind our resource speaker to be responsive to the question. We are asking General Mempin about the status of Davao with respect to the peace and order situation during your time as the head of Task Force Davao, I think that is 2017 until 2019.

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MR. MEMPIN. For the Davao, downtown Davao, Ma'am, it is very peaceful. But still the threat of terrorism is there, so the existence of Task Force Davao is still needed.

REP. LUISTRO. On the scale of one to ten, one being the lowest and ten being *the highest, how peaceful is Davao?*

MR. MEMPIN. Ten, Ma'am, because up to now, no incident of terrorism.

REP. LUISTRO. Ten. So that confirms the description of Colonel Garma in one of our hearings that Davao is one of the most livable cities in the Philippines, you agree with that?

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. And, of course, you're one of the reasons why you are able to maintain or you were able to maintain such level of peace and order in Davao City because you were the one in charge, the partner of the LGU. May we ask General Mempin, ano po ba ang mga programang ginawa ninyo sa Davao City to be able to achieve the level 10, the highest score in terms of peace and order that you just gave to Davao City?

MR. MEMPIN. To be candid about it, Ma'am, actually I just continued what my predecessors have done because when I assumed in 2017...

REP. LUISTRO. General Mempin, kindly focus on the programs. Ano po iyong programs na inyong in-implement?

MR. MEMPIN. Number one, Ma'am, is continued collaboration with various stakeholders, particularly with the Muslim communities in Davao City, to ensure that there would be no slippage of probable or would be bombing incident in Davao City, Ma'am.

REP. LUISTRO. Any other programs, General Mempin?

MR. MEMPIN. Of course, continued information awareness to all the residents or...not only residents but people visiting Davao, because right now...the term right now is "culture of security" where security is everybody's concern, and not only of security units like the AFP and the Philippine National Police, Ma'am.

REP. LUISTRO. I assume, General Mempin, that you were able to implement a lot of programs for you to be able to achieve that level 10 peace and order situation. So aside from the collaboration with the Muslim communities and the information awareness dissemination, can you please cite more programs which you recall were very significant in your achievement of the level 10 peace and order in Davao City?

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MR. MEMPIN. Yes, Ma'am, number one is collaboration, information awareness; then continued meetings with or exchange of information with intelligence units or security units in Davao, continued collaboration with business sector because they are the ones who needs to be convinced that Davao is safe for the investment to stay in Davao or increase of it; then, of course, continued presence because, actually, the world does not sleep; we continued patrols in Davao City, mobile, fixed checkpoint in Davao Airport; and even business establishment, when there are major engagement, Task Force Davao is always present; and, of course, we continue to make our personnel professional because whatever program you have, if the people, meaning our soldiers, are not professional in handling, like for example, we always conduct checkpoint operations...

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MR. MEMPIN. (Continuing)...checkpoint operations and we always ask indulgence of the inconvenience that we have cause to the passenger and into the drivers entering Davao City. So, that's all part of our programs to ensure that everybody is cooperating to ensure that no bombing incident will occur in Davao City, Ma'am.

REP. LUISTRO. I wish to make a recap of what you said, General Mempin. You mentioned collaboration with Muslim communities, information awareness and dissemination to all residence, meetings with other intelligence units, collaboration with business and other sectors, presence of patrols and presence with all other professionals to make sure that no bombing incident will happen in Davao City. You confirm that?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. And these are the reasons why you were able to achieve the Level 10, the highest score for the peace and order situation in Davao City, you confirm?

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. And I must say, Mr. Chair, General Mempin, na ito rin ang dahilan why I wish to conclude pinagtiwalaan ka na noon ay city mayor and now our Vice President Sara Duterte?

MR. MEMPIN. Yes, Your Honor.

REP. LUISTRO. Level 10 score is something that I am sure you will be able to gain the trust and confidence of whoever is the local chief executive of the area to which you are assign, you agree with me?

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. Let's move forward, General Mempin. Kailan po kayo nag-retire sa AFP?

MR. MEMPIN. I retired last January 28, 2023, Your Honor.

REP. LUISTRO. January 28, 2023. And I understand you enter the Department of Education during the time of VP Sara Duterte, you confirm that?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. Can you please enlighten us, ano po'ng appointment ang nabigay sa inyo during your time in DEPED?

MR. MEMPIN. First, Ma'am, I was appointed as or recruited as consultant of Department of Education from April...

REP. LUISTRO. Can you please expound, consultant on what matter?

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MR. MEMPIN. I was highly technical consultant because I came from the Armed Forces and our former Secretary and Vice President consider me as an asset in collaboration or engaging the security sector.

REP. LUISTRO. And you believe General Mempin that it was your career in the AFP which was considered by then Secretary of DEPED why you were hired as the highly technical consultant?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. If you can still recall, General Mempin, ano po ba ang trabaho ng isang highly technical consultant as you were made to understand during your…that stint in the Department of Education?

MR. MEMPIN. When you become a highly consultant, meaning, the unit or the agency could not have it on its own personal that's why they could engage or hire the services of a consultant, Ma'am.

REP. LUISTRO. For the information of the Filipino people, General Mempin, please allow me to share the functions which were under your position as highly technical consultant. One, provide high level policy advice on topics, agenda that are confidential in nature; two, provide guidance, technical oversight and expert advice to DEPED in the development of various programs in all levels of governance on safety and security; three, engage and collaborate with other departments and security related services; four, submit monthly status to OSEC; and five, perform other duties related thereto. Would you agree with me, General Mempin, that as highly technical consultant, your mandate is to make sure that the need to promote and ensure safety and security is well addressed?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. You confirm that?

MR. MEMPIN. Yes.

REP. LUISTRO. And having confirmed that, tama po bang isipin, you are the one in charge also of the confidential funds of the Department of Education?

MR. MEMPIN. That is not correct, Your Honor, Mr. Chair.

REP. LUISTRO. Then, General Mempin, if you are not the one in charge of this confidential fund, then who is or who was?

MR. MEMPIN. I was not aware of because I only…more on…because after April, May, when Usec for Administration is open, I was again asked if I could but I'm not part of the utilization or how the confidential fund is…

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REP. LUISTRO. But you agree with me General Mempin, lahat ng trabaho na ibinigay sa inyo hindi niyo ito kayang isagawa without the necessary funding. And the funding that is allowed for these purposes is, of course, the confidential fund, do you confirm with me?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair. But I have not received any instructions and, also, funds for that matter on...in the performance or in the accomplishment of task given or mandate to me as the consultant, Your Honor.

REP. LUISTRO. In other words, General Mempin, while your job description as highly technical consultant pertains to safety and security, you have no access to confidential fund and you did not give any instruction from the head of agency, that is your statement, do you confirm that?

MR. MEMPIN. Yes, Your Honor. I am not part of the...

REP. LUISTRO. Thank you.

MR. MEMPIN. ...utilization...

REP. LUISTRO. Let's move forward, General Mempin. Kanina may na-mentioned po kayo, after some time you were appointed as the Usec for Administration. Did you apply for this position?

MR. MEMPIN. No, Ma'am. I was recruited by the former Secretary and Vice President.

REP. LUISTRO. Balikan ko po iyong highly technical consultant. Of course, you expressed your desire because a notice of award was given to you to be the highly technical consultant. Aside from you, General Mempin, mayroon pa po bang iba na nag express ng desire to be engaged as the highly technical consultant?

MR. MEMPIN. I am not particularly aware of other consultant that expressed their willingness, but I do believe there are other consultant that the Office of the Secretary has tap, Ma'am.

REP. LUISTRO. I understand. How about with respect to your appointment as Usec Administration, you said you were chosen, you confirm that?

MR. MEMPIN. I was recruited, yes, Ma'am.

REP. LUISTRO. You were recruited. Who recruited you to be the Undersecretary for Administration.

MR. MEMPIN. The former Secretary and Vice President Sara, Your Honor, Mr. Chair.

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REP. LUISTRO. And would you know why, bakit ikaw ang napusuan na bigyan at pagkalooban nitong pagiging Undersecretary for Administration ng Department of Education?

MR. MEMPIN. As to the reason, the actual reason behind it, I was not aware. But I can surmise the trust and confidence that she has on me…

REP. LUISTRO. That is correct.

MR. MEMPIN. …maybe the reason, Ma'am.

REP. LUISTRO. The trust and confidence that you were able to establish as head of Task Force Davao in 2017 and being the…the one in charge of the 10th Infrantry Division in Regions XI, XII and XIII were very significant not only in your engagement as highly technical consultant but in your appointment as well as Undersecretary for Administration of DEPED, we agree on that, General Mempin.

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. As a matter of fact, to illustrate how the former Secretary trusted you, may I ask, are you aware of Department Order No. 78, General Mempin?

MR. MEMPIN. Yes, Ma'am.

REP. LUISTRO. What is Department Order No. 78?

MR. MEMPIN. It's about…

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MR. MEMPIN. (Continuing)...It's about the procurement, Ma'am.

REP. LUISTRO. With all due respect, dito po sa Department No. 78, ibinibigay po ang mandato na pamunuan ang Department Computerization Program sa program director. Do you confirm this?

MR. MEMPIN. Yes. I stand corrected, Ma'am. It's about...

REP. LUISTRO. In other words, since 2010, General Mempin, ang Department Computerization Program ay pinamumunuan ng program director. Ito po ang nakasaad sa Department Order No. 78. But because the former Secretary trusted you so much on this position of being the Undersecretary for Administration, the DEPED issued DO No. 16, series of 2023. Would you like to enlighten us kung ano po itong DO 16, series of 2023?

MR. MEMPIN. Actually, it's a revision of the Department Order No. 78, Ma'am, series 2010. It's actually revising the compositions of the...those for the procurement of...

REP. LUISTRO. To be specific, General Mempin, with all due respect, ano ho ang pinaka-significant na naging pagbabago in terms of DEPED Computerization Program from DO 78 to DO 16?

MR. MEMPIN. It's not only the director who decides for the computer...procurement of Department Computerization Program, Ma'am.

REP. LUISTRO. For the information of the Committee, General Mempin, it is clear that from DO No. 16, the management of the Department's Computerization Program was transferred from the program director to the undersecretary for administration and that is you, General Mempin. That is how the former Secretary trusted you. A policy which has long been existing for 13 long years, 2010, was suddenly changed, transferring the management of DEPED Computerization Program from the program director to the Office of the Undersecretary for Administration. Do you agree with me?

MR. MEMPIN. Yes, Ma'am. Ma'am, can I elaborate, Mr. Chair?

REP. LUISTRO. Yes, please.

THE CHAIRPERSON. Please continue.

MR. MEMPIN. Actually, before the computerization program is...because actually we noticed some issues in the DCP procurement particularly in terms of the members. So, because there's a huge amount of money involved in the DEPED Computerization Program, so it was agreed through the executive committee, as a

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collegial body, to elevate the authority of deciding the DEPED Computerization Program from program director to…but, basically, the program director is actively involved in the decision making.

REP. LUISTRO. I understand, General Mempin.

Now, let us go to the DEPED Computerization Program. Per Fiscal Year 2023, mayroon po kayong report, ang sabi ninyo, "the delay and underperformance in procuring the ICT packages for 2023 were mainly due to the reconfiguration of the original specification and modifications of the package contents." Do you agree with this?

MR. MEMPIN. Yes.

REP. LUISTRO. Yes, because this is in your report. But I wish to ask, General Mempin, how come in your physical target versus accomplishment—kindly show on the screen—ito pong Fiscal Year 2023, this is your time as the one heading the DEPED Computerization Program, simultaneous with you being the Undersecretary for Administration, zero percent po ang accomplishment ng DEPED Computerization Program. Can you please enlighten us on this?

MR. MEMPIN. Actually, Ma'am, nandito po iyong director ng ICTS. But to give you insight on the performance, because, Ma'am, when we arrived in DEPED, 2023, actually, it's still the 2022 DCP programs being processed because of the delay during the 2022 because of the change of the administration. So, actually, Ma'am, late 2023 na po na-process completely iyong DCP.

REP. LUISTRO. May we know why, General Mempin? Of course, we understand from the records na iyong 2023 budget, hindi ninyo po na-utilize and that is the reason kung bakit naka-zero percent ang accomplishment rate. May we know the reason why?

MR. MEMPIN. Because of the…partly of the procurement process because it has to go to the Bids and Awards Committee and the members of the Bids and Awards Committee is still full…hands in full in terms of the DCP 2020…

REP. LUISTRO. But, of course, you realize, General Mempin, the value of this DEPED Computerization Program with respect to the learning of the students who are supposedly relying on this. Tama po ba?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. And to complete the picture, General Mempin, I wish to share to the Committee, mayroon po kayong na-procure 44,638 ICT packages and DEPED

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packages sa taong 2022 and 2023. Ngunit ayon sa annual audit report ng COA, ang na-deliver ninyo lang is 16,580. This is not even one half of what is supposed to be delivered. So to make it clear, General Mempin, nakapag-procure po kayo ng 44,638 ICT packages, but, per report of COA, ang delivered pa lang is 16,580, equivalent to *37 percent of the supposed accomplishment. Can you please explain this?*

MR. MEMPIN. Ma'am, Your Honor, Mr. Chair, if I may request the director of ICTS because I was, Sir, already out of DEPED since July so I'm not aware of the updates in terms of deliveries with regards...so that...we could have a good picture.

REP. LUISTRO. General Mempin, with all due respect, the procurement happened in 2023.

MR. MEMPIN. Yes, Ma'am.

REP. LUISTRO. Ibig sabihin, nabili na po ito, 44,638 ICT packages. You were still with DEPED.

MR. MEMPIN. Yes, Ma'am, but...

REP. LUISTRO. You resigned only last July 2024, tama po ba?

MR. MEMPIN. Yes, Ma'am.

REP. LUISTRO. From your perspective as Undersecretary for Administration and the one heading the DEPED Computerization Program, ano po ba naging appreciation ninyo dito? Ano'ng naging dahilan why you were way below the supposed accomplishment when, in fact, ang dami ninyo naman palang nabili? Or if I may rephrase the question, nasaan po iyong nawawalang ICT packages?

MR. MEMPIN. Your Honor, Mr. Chair, during the 2023, only the DCP 2022 was processed, procured and only started delivering in late 2023. And, actually, only the first three...

REP. LUISTRO. In both dates that you mentioned, General Mempin, you're very much connected still with the Department of Education.

MR. MEMPIN. Yes, Ma'am. I'm explaining that during the 2023, Ma'am, the DCP 2022 is prioritized so it's only being deliberated or processed in the procurement. And late of October, that's only...there are only or there were only three lots of DCP which were successfully bidded out and 13 was processed in 20...

REP. LUISTRO. General Mempin, if I may interrupt. Let's simplify...

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REP. LUISTRO. (Continuing)...simplify the question. The 44,638 ICT packages were procured during that time. Only 16,000 were delivered. Nasaan po iyong iba?

MR. MEMPIN. Ma'am, because you...the 13...the three lots supposedly delivered during December and early January of 2024 were subject to request for extension of some of the supplier which we were not...

REP. LUISTRO. Mr. Chair...

MR. MEMPIN. ...convinced.

REP. LUISTRO. ... I lament that General Mempin cannot...could not give a clear and complete account of this 44,638, and I still have a lot of questions to raise. So, may I just request General Mempin to please submit a written accounting of these 44,638 ICT packages with respect to their current whereabouts?

Simple lang po ang question, General Mempin. Nasaan iyong 44,000 minus 16,000 na ICT packages?

Moving forward, Mr. Chair.

General Mempin, I wish to raise questions about the DEPED Confidential Funds. There is such an AOM No. 2024-15. This is dated February 01, 2024. Out of the 150 million Confidential Funds that were given to DEPED, only three quarters were utilized—that is equivalent to 112.5 million. Are you aware of this, General Mempin?

MR. MEMPIN. I just made aware during the hearing about the Confidential Fund because I was not directly involved in the...

REP. LUISTRO. Okay. But at least you can confirm that in the General Appropriations Act of 2023, DEPED has 150 million budget for Confidential Fund. You are aware of that?

MR. MEMPIN. Yes, Ma'am, as member of the EXECOM.

REP. LUISTRO. And out of the 150 million budget for Confidential Fund, only the first, the second, and the third quarter were utilized. That is equivalent to 112.5 million Confidential Fund. You are aware of that?

MR. MEMPIN. I must...I was made aware of that, Your Honor, Mr. Chair.

REP. LUISTRO. And sometime in February 2024, nag-issue po si COA ng Audit Observation Memo. And sabi po dito, there is such 75 million no...disallowance na na-justify po nila later on. And out of the 75 million, however, mayroong 15.54 million pertaining to rewards to informers na hindi pa rin po na-clear because of lack of the necessary supporting documents. Can you please enlighten us on this?

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MR. MEMPIN. Your Honor, Mr. Chair, I was not part of how the Confidential Fund is being utilized. So, I was not aware of the discrepancy, Your Honor, Mr. Chair.

REP. LUISTRO. I understand. Nevertheless, General Mempin, having spent long years of career in the military, of course, you are aware about what Confidential Fund is.

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. Can you please enlighten us? What do you understand about Confidenti Fund?

MR. MEMPIN. Confidential funds are funds allocated for the…a certain units or organizations for its security…maybe…and other…in furtherance of its mandate, particularly those who cannot be gathered through the regular means of acquiring, for example, information.

REP. LUISTRO. And how will you differentiate confidential fund from intelligence fund?

MR. MEMPIN. Your Honor, Mr. Chair, in my opinion, intelligence funds specifically have program being, although, it is…it is not being elaborated but it has go to the programs of organization. For example, the law enforcement unit, the armed forces, and even the LGUs. While confidential fund has more on flexibility. But as we discussed, there is certain protocol, SOP is being followed under the JMC 2015-01, Ma'am.

REP. LUISTRO. To recap what you said, General Mempin—and please agree with me if I am correct, 'no—both have a purpose of addressing the safety and security of the nation, tama po ba?

MR. MEMPIN. Yes, Your Honor.

REP. LUISTRO. However, Confidential Fund is given to civilian offices, tama?

MR. MEMPIN. Ah, yes, Your Honor.

REP. LUISTRO. While intelligence fund is given to military offices, tama po ba?

MR. MEMPIN. Military and other law enforcement…

REP. LUISTRO. Yes.

MR. MEMPIN. …units, Ma'am.

REP. LUISTRO. In other words, they have the same purpose—confidential and intelligence fund. That is to take care of the national safety and security. However, magkaibang opisina ang gumagamit. Kapag Confidential Fund, it is given

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to civilian offices. At kapag intelligence fund, military, and like what you said, law enforcement offices, tama, General Mempin?

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. But we have to share also that under Republic Act 7160, the Local Government Code, the LGUs are given Confidential Fund as well. They are authorized to have and utilize Confidential Fund. You must be aware of this because for the longest period of time, nandoon po kayo sa Davao. And I understand like any other LGUs, nag-utilized rin sila ng kanilang Confidential Fund. Do you agree with me?

MR. MEMPIN. I do not have exact information, but I do believe they have...they are do...they are using Confidential Funds in the furtherance of their mandate in respective LGUs, Ma'am.

REP. LUISTRO. Remind land po natin, Mr. Chair, because this was flashed already in the previous hearings. Ito po iyong, should I say, escalation of confidential fund of the City of Davao starting from 2016, 144 million; 2017—you were already the head of the Task Force Davao—294 million; and then 2010—nandoon na po kayo sa 10th Infantry Division—they have 420 million confidential fund in Davao; and then 20...no, that is 2018, and then 2019 to 2022, consistent na 460 million confidential fund. Napakalaki po nito, General Mempin.

Puntahan ko po iyong 2017, 294 million. You were the head of Task Force Davao. Puwede po bang malaman, how you appreciate the utilization of the 294 million confidential fund?

MR. MEMPIN. Again, Ma'am, in my...to be candid about it, Mr...Your Honor, Mr. Chair, I was not aware of how the confidential fund is being utilized or implemented. But I am...what...I just wanted to report to the Body that the LGU of Davao, even before and after my term is being supported in terms of logistics. Meaning, our vehicles—the maintenance of vehicles—are coming from the LGU. And if there are major activities like gatherings like Kadayawan, Araw ng Davao, all the security elements involved in the securing Davao City and its major events, the LGU is providing support in terms of mills and logistics. Meaning, fuel to our vehicles, Ma'am.

REP. LUISTRO. In other words, General Mempin, all the activities...

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REP. LUISTRO. (Continuing)...activities that you raised earlier—collaboration with the Muslim communities, information dissemination, meetings with other intelligence units, collaboration with different sectors, presence of patrols and coordination with other professionals—these are the activities which were supported by that 294 million in 2017.

MR. MEMPIN. I have no idea. But because aside from Task Force Davao, there are also member of the Joint Task Force Haribon.

REP. LUISTRO. But, at least, at least, those activities were part of the expenditures of the 294 million in 2017. Do you agree?

MR. MEMPIN. I...I believe so, Ma'am, but I'm not 100 percent sure.

REP. LUISTRO. Thank you.

Now, let us go to AOM 2024-15. Ito po iyong na-mention ko kanina, General Mempin, na mayroong disallowance na 75 million. Out of 75 million, the basis of the disallowance of 15.54 million is the lack of supporting documents for payment of rewards, reward to informers. And in response to the AOM, nakatanggap po ang COA ng certification galing sa apat na AFP officers—one is Colonel Boransing; two is Lieutenant Colonel Sangdaan; three is Colonel Panopio; and four is Major General Bajao. Mayroon pong pinapa-explain ang COA na 15 million—this is about payment of reward to informers—and then, in response, nag-submit po ang DepEd ng apat na certification.

General Mempin, can you please enlighten us what are these certifications all about?

MR. MEMPIN. Your Honor, Mr. Chair, the certification that I was asked to coordinate with the commanders on the area with regard to the conduct of the Youth Leadership Summit are present here. And I was just asked to get the feedback from these units of the army, in particular, of how they conduct the Youth Leadership Summit in their respective area and how effective it in securing or this...ensuring that these student, out-of-school youth and even indigenous peoples, youth of...of indigenous peoples are protected, 'no, because that's one of the thrusts also of Department of Education—that our youth be able to be productive citizens of our country.

REP. LUISTRO. Thank you.

Now, let us go to Colonel Boransing.

Colonel Boransing, there is a certification here, signed by you, I suppose. This is dated January 1, 2024. You are certifying about the eight activities for the Youth

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Leadership Summit with 531 participants, as well as Information, Education Campaign with 53 activities and 9,428 participants. Do you confirm this?

THE CHAIRPERSON. Colonel Boransing, you are recognized.

MR. MANAROS M. BORANSING II (Master in National Security Administration, Infantry Division, Philippine Army). Thank you, Mr. Chair.

I confirm that, Mr. Chair.

REP. LUISTRO. I observed that the certification is addressed to "To whom it may concern", and then, at the end of the body, it says "for the Commander". Kanino ho ba talaga naka-address itong certification na ito, Colonel?

MR. BORANSING. If I may, Mr. Chair, I'd like to explain about the certification.

THE CHAIRPERSON. Please continue, Colonel Boransing.

MR. BORANSING. Yes. This...our job...The 1st Infantry Division covers the whole of Zamboanga Peninsula and both Lanao provinces, Mr. Chair.

REP. LUISTRO. Mr. Chair, with all due respect, Colonel...

MR. BORANSING. Yes. I was...if I...

REP. LUISTRO. I have a limited time. So, kindly give a responsive answer to the questions that are being raised. Ang tanong ko po, Colonel, kanino ho ba naka-address itong certification? Sa taas po, "To whom it may concern"; sa baba, "for the Commander".

MR. BORANSING. Yes, Mr. Chair. This was asked by the DepEd and this is our standard format for all...

REP. LUISTRO. May we know who, in particular, in DepEd asked for this certification?

MR. BORANSING. Usec. Mempin.

REP. LUISTRO. Usec. Mempin.

MR. BORANSING. Yes, Mr. Chair. And that is the standard certification. Because...Because of our multi-stakeholder activities on the ground, a lot of other agencies ask for certifications. Like, for instance, during the Youth Leadership Summits, we get a lot of lecturers from other agencies and they ask certification. So, this is our standard certification we issue to all agencies who ask for it. So...

REP. LUISTRO. Colonel, you mentioned about the Youth Leadership Summit.

MR. BORANSING. Yes, Mr. Chair.

REP. LUISTRO. Can you please name some of your...your resource speakers during these times?

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MR. BORANSING. Yes, Mr. Chair. First of all, we have...on criminality, we have resource persons from the Philippine National Police.

REP. LUISTRO. Can you please name names?

MR. BORANSING. Yes. The...We usually have the Chief of Police of the municipality of...

REP. LUISTRO. Please be specific, Colonel.

MR. BORANSING. Okay, Ma'am. So, the ones that conducted the Youth Leadership Summit, Ma'am, are...are line units, infantry battalions under us. So, we have...

REP. LUISTRO. Kindly give names, please.

MR. BORANSING. Yes. The Chief of Police...For example, Mr. Chair, if I may, the Youth Leaders Summit, August 7 to 9, August 2023, conducted in Barangay Poblacion Madaya, Maguing, Lanao del Sur...

REP. LUISTRO. Mr. Chair, there are eight Youth Leadership Summit. So, at the very least, I am expecting eight names who were the resource speakers during that time.

MR. BORANSING. Yes, Ma'am. If I may continue to read it, Ma'am. It's in the report.

REP. LUISTRO. Kindly limit the answer, Colonel, to the question.

THE CHAIRPERSON. Please continue, Colonel Boransing.

MR. BORANSING. So, we have...we have the Municipal Mayor of Masiu, Lanao del Sur. We have also...

REP. LUISTRO. Do you have the date also? Can you please cite the date also?

MR. BORANSING. Yes, Ma'am. As I earlier said...

REP. LUISTRO. Date of YLS and then, the resource speaker.

MR. BORANSING. Yes, Ma'am. As I earlier said, this one is August 7 to 9, 2023; the venue was in Maguing, Lanao del Sur. So, we have Staff Sergeant Banquiao, Lieutenant Colonel Miondas, we have Private Dela Rosa, Lieutenant Colonel Siat...

REP. LUISTRO. So, how many resource speakers do you have for every Youth Leadership Summit?

MR. BORANSING. It depends on the commanders. For...Like, for instance, in local terrorist groups where...in Lanao, it can range anywhere from 5 to 10.

REP. LUISTRO. Is that the first, the one dated August, that's your first YSL...

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MR. BORANSING. YLS.

REP. LUISTRO. YLS.

MR. BORANSING. For 2023, the first one was in May. It was in Zamboanga del Sur Province.

REP. LUISTRO. 2023, the first one was May.

MR. BORANSING. Yes.

REP. LUISTRO. And then?

MR. BORANSING. Then, we have…the second one is 16 June 2023. This was in Lanao del Sur, the Municipality of Bubong.

REP. LUISTRO. And then, the third?

MR. BORANSING. We have July 26 for the 44th Infantry Battalion in Kabasalan, Zamboanga Sibugay Province, Mr. Chair. Then…

REP. LUISTRO. The fifth?

MR. BORANSING. …we have August…July 29 in the Digkilaan National High School, Iligan City.

REP. LUISTRO. Sixth?

MR. BORANSING. Then, on September 29, we have in Barangay Pogan, Concepcion, Misamis Occidental. Then, December…December 12, we had in Barangay Diwan, Dipolog City, Zamboanga del Norte, and as I earlier…earlier mentioned, another one in Zamboanga del Sur—this time, in Dumingag Municipality, Ma'am. So, those are eight that were conducted in the various areas, Ma'am.

REP. LUISTRO. Mr. Chair, with the manifestation of Colonel Boransing, I respectfully move that we issue *subpoena duces tecum* to the head of the schools. Are they schools?

MR. BORANSING. No, Ma'am…

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MR. BORANSING. (Continuing)...No, Ma'am, not all of them are schools. One is Digkilaan.

REP. LUISTRO. So, what are they, if they are not schools?

MR. BORANSING. Like, for instance, the first one, last May was conducted in a barangay, in a sitio, Ma'am, so hindi siya...

REP. LUISTRO. Mr. Chair, we are moving...I am moving for the issuance of subpoena *duces tecum*, either to head of the school or barangay, which became the recipient of the Youth Leadership Summit...

MR. BORANSING. Yes, Ma'am.

REP. LUISTRO. ...conducted by Colonel Boransing.

MR. BORANSING. Yes, Ma'am.

REP. LUISTRO. Now, let's go to...

THE CHAIRPERSON. There is a motion to by the...by Honorable Congresswoman Luistro to issue a subpoena *duces tecum* to the head of school or barangay...

REP. FLORES. Second, Mr. Chair.

THE CHAIRPERSON. ...subject to the—ano ito?

THE COMMITTEE SECRETARY. YLS.

THE CHAIRPERSON. Y...

THE COMMITTEE SECRETARY. Youth Leadership Summit.

REP. LUISTRO. YLS.

THE CHAIRPERSON. Youth Leadership Summit conducted by Colonel Boransing. Is there any second?

REP. FLORES. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded by Honorable Flores, is there any objection? Hearing none, the motion is carried.

REP. LUISTRO. May we request as well, Mr. Chair, that the documents in the possession of Colonel Boransing, which I believe pertains to the Youth Leadership Summit, be submitted to the Committee.

MR. BORANSING. Madam...Mr. Chair, according to the Freedom of Information Act, since these are confidential—we can share it—but if we follow the Act, the Philippine Army or the General Headquarters, Armed Forces would like to ask a written request from the Committee, which is according to the Freedom of Information Act, and we will provide.

THE CHAIRPERSON. The ComSec is requested to draft a letter...

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MR. BORANSING. Thank you, Mr. Chair.

THE CHAIRPERSON. ...as requested by Colonel Boransing.

Please continue, Congresswoman Luistro.

REP. LUISTRO. Mr. Chair, I wish to direct the next question to Lieutenant Sangdaan. Lieutenant, kindly...

THE CHAIRPERSON. Lieutenant.

REP. LUISTRO. ...kindly occupy one of the seats.

THE CHAIRPERSON. Have you taken your oath, Lieutenant?

MR. CARLOS B. SANGDAAN, JR. (Commanding Officer, 5th Infantry Division, Philippine Army). Yes, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. LUISTRO. Lieutenant Sangdaan, I have here a certification which bears your signature, I suppose. This is about the 22 activities for the Youth Leadership Summit and 49 activities for the Information Education Campaign. This was held in the Provinces of Ilocos Norte and Ilocos Sur, as well as La Union.

Do you confirm this certification?

MR. SANGDAAN. Yes, Mr. Chair, Your Honor.

REP. LUISTRO. And the certification, similar to the one issued by Colonel Boransing, is addressed to "To whom it may concern," on the upper part and then on the lower part, "For the Commander."

For the record, Lieutenant Colonel Sangdaan...

MR. SANGDAAN. Yes.

REP. LUISTRO. ...kanino ninyo po ba talaga ina-address itong certification?

THE CHAIRPERSON. Lieutenant Sangdaan, please.

MR. SANGDAAN. Yes, Ma'am, to the DEPED, Ma'am.

REP. LUISTRO. And can you be particular, sino po sa DEPED?

MR. SANGDAAN. Ma'am, can I just give the background, Ma'am? That was the instruction of my Commander, and according to my Commander, it was Major General Mempin who requested.

REP. LUISTRO. Okay. You answered the question already.

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. And similar to the questions which I raised to Colonel Boransing...

MR. SANGDAAN. Yes, Ma'am.

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REP. LUISTRO. ...we have also some documents with you which can provide details about the recipient of these 22 Youth Leadership Summit.

MR. SANGDAAN. Ma'am, right now, Ma'am, I don't have the documents because I'm no longer with the 5th Infantry Division, Ma'am. I'm already reassigned to GHQ. But I assure you, Ma'am, that...

REP. LUISTRO. You can produce.

MR. SANGDAAN. ...there are documents in the 5th Infantry.

REP. LUISTRO. You can produce.

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. Okay. May I just state, for the record, Mr. Chair, that Lieutenant Colonel Sangdaan committed...manifested his commitment...

MR. SANGDAAN. Ma'am.

REP. LUISTRO. ...to submit the document about the 22 activities for Youth Leadership Summit.

MR. SANGDAAN. Yes, Ma'am. Just like what Colonel Boransing have said a while ago, Ma'am, I think is it...it's much better for the request Secretariat...

REP. LUISTRO. Yes, we will.

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. We will, Lieutenant Colonel.

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. What is important, Lieutenant Colonel...

THE CHAIRPERSON. The manifestation of Colonel Sangdaan for the Committee to write a letter...iyon po ba iyong gusto ninyo?

MR. SANGDAAN. Yes, Ma'am. Yes, Sir. Yes, Mr. Chair.

THE CHAIRPERSON. Okay. The ComSec is requested to please...is directed to please write a letter requesting for the documents, as requested by Congresswoman Luistro.

THE COMMITTEE SECRETARY. Noted, Your Honor.

THE CHAIRPERSON. Please, please continue, Congresswoman Luistro.

REP. LUISTRO. But, at least, Lieutenant Colonel Sangdaan, can you name some of those 22 activities? Iyong naaalala ninyo lang po because this is quite a lot compared to the one which Colonel Boransing had. He had only eight, you had 22.

MR. SANGDAAN. Ma'am, actually, these YLS were conducted by the line units of the 5th Infantry Division, Sir, Ma'am. Just like the 501st Brigade, the 5th CMO

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Battalion and other infantry battalions in the area, Ma'am. As to the specific of which, Ma'am, hindi ko na ma-remember, Ma'am.

REP. LUISTRO. You mentioned which infantry division conducted this?

MR. SANGDAAN. 5th Infantry Division.

REP. LUISTRO. Saan po ba kayo kasama, sa 5th po ba?

MR. SANGDAAN. 5th Infantry Division, Ma'am, as a staff of the 5th Infantry Division, Ma'am.

REP. LUISTRO. As...as one of the staff...

MR. SANGDAAN. Yes, yes.

REP. LUISTRO. ...of the 5th Infantry Division. But I suppose that since you were the one who certified, you're supposed to have a personal knowledge of what happened.

MR. SANGDAAN. We based it on the...on our records, Ma'am, on our tabulated records.

REP. LUISTRO. Are you...do you intend to tell us, Lieutenant Colonel, that you were not the one who actually conducted this Youth Leadership Summit?

MR. SANGDAAN. Yes, Ma'am. The line units, Ma'am, were the one who conducted those activities.

REP. LUISTRO. If it is not you, then who?

MR. SANGDAAN. The different battalions, Ma'am. For example, Ma'am, the 77th IB, the 5th CMO Battalion, the...

REP. LUISTRO. Eh, bakit po kayo ang nag-issue ng certification?

MR. SANGDAAN. We have the tabulated data, Ma'am, of...

REP. LUISTRO. Yes, I understand. But for one to be able to issue a certification, dapat alam ninyo, dapat may knowledge kayo.

MR. SANGDAAN. Yes, Ma'am, we have...

REP. LUISTO. As a matter of fact, this is an inquiry in aid of legislation, you were sworn in before we started the hearing, and this will elevate the status of being a sworn certification already.

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. Eh, bakit po kayo nag-issue ng certification kung wala kayong personal knowledge? Nag-certify kayo, may 22 Youth Leadership Summit, tapos hindi ninyo po ito personally nalalaman? Is that what you wanted to say?

MR. SANGDAAN. We have personal knowledge, Ma'am, because we have it in our data, Ma'am, that the different line units...

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REP. LUISTRO. You are aware of the data only...

MR. SANGDAAN. Also that our different...

REP. LUISTRO. ...but not of the occurrence. Magkaiba po iyon.

MR. SANGDAAN. Ganoon din, Ma'am, sa occurrence niya, Ma'am. That it...

REP. LUISTRO. You are aware of the occurrence as well.

MR. SANGDAAN. Yes, Ma'am, that it was really conducted.

REP. LUISTRO. Okay. Balikan po ulit natin iyong question ko. Name some of the Youth Leadership Summit that you conducted, if you are aware of the occurrence.

MR. SANGDAAN. Just like in San Mariano, Isabela, Ma'am, we have conducted the YLS there, Ma'am.

REP. LUISTRO. Barangay po iyan?

MR. SANGDAAN. Municipal, Ma'am.

REP. LUISTRO. Municipal.

MR. SANGDAAN. Yes.

REP. LUISTRO. Ang recipient po natin, sino? Sino po ang audience ninyo doon? Sino po ang participants?

MR. SANGDAAN. The youth from the Municipality of San Mariano. There were participants from the students in San Mariano and even out-of-school youth.

REP. LUISTRO. Okay. Any other? Any other YLS that you can recall?

MR. SANGDAAN. As reported by line units, Ma'am, also in Baguio City.

REP. LUISTRO. You are basing your testimony, Lieutenant Colonel, on the report. Tama po ba?

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. That's what you said.

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. And this will only mean that you are not aware of the occurrence. If the statement that you're giving to us is based on the report and not on the personal knowledge of the occurrence, then you have no personal knowledge of how it happened.

MR. SANGDAAN. I am aware, Ma'am, that it was really conducted.

REP. LUISTRO. You are aware of the data, you are aware that it happened, but you were not personally there...

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REP. LUISTRO. (Continuing)...personally there?

MR. SANGDAAN. Yes. Yes.

REP. LUISTRO. You did not participate?

MR. SANGDAAN. Yes, Ma'am, we only provided some speakers as requested by the concerned unit.

REP. LUISTRO. How about these 22 that you mentioned in your certification, ito ba na-attend-an mong lahat?

MR. SANGDAAN. No, Ma'am. Honestly, Ma'am, no.

REP. LUISTRO. Ilan out of 22 ang na-attend-an mo, Lieutenant Colonel?

MR. SANGDAAN. I think only in San Mariano, Ma'am.

REP. LUISTRO. Only in San Mariano.

MR. SANGDAAN. Ma'am, can I give a background on...?

REP. LUISTRO. COA, may I just make a manifestation, how can you validate an accomplishment report with a certification, the signatory has no personal knowledge of what happened? Lieutenant Colonel was able to attend only one out of 22 youth leadership summits, and this is okay with COA? I'm sorry but I do not understand.

Colonel Boransing, if I may call you again? Iyon pong walo, ilan po ang na-attend-an ninyo doon?

THE CHAIRPERSON. Colonel Boransing.

REP. LUISTRO. Out of eight youth leadership summits, ilan po iyong na-attend-an ninyo?

THE CHAIRPERSON. Colonel Boransing, you are recognized.

MR. BORANSING. Yes, Mr. Chair. I was only able to attend one.

REP. LUISTRO. So that means that you have no personal knowledge as well of all the eight youth leadership summits that happened?

MR. BORANSING. I have personal knowledge of these, Ma'am. Mr. Chair, if I may explain lang po the structure of... My position is I'm the G7 of the Infantry Division. So the Infantry Division has three infantry brigades. They control three...One has four provinces, the other has one province, and other brigade has one province. So I am in charge of supervising. I'm the civil military operations officer, Mr. Chair, so I closely monitor, we closely monitor the program of the youth leadership summit to ensure that it is multi-stakeholder and it fits the objectives of the program. So we have personal knowledge. We can't go around in each barangay but they have, since we used budget from the Philippine Army, we have after-activity reports, fund utilization reports,

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pictures, and documentations. And we have to ensure this because we have a yearly inspection from higher headquarters. So we may not have been there, but we have personal knowledge. We are the program managers of this po, Mr. Chair.

REP. LUISTRO. You mentioned a while ago, Colonel Boransing...

MR. BORANSING. Yes po.

REP. LUISTRO. ...you were using the fund of the Philippine Army, you confirm that?

MR. BORANSING. Yes, Mr. Chair, Your Honor.

REP. LUISTRO. Are you sure?

MR. BORANSING. Yes, Mr. Chair.

REP. LUISTRO. For the eight YLS that were conducted...

MR. BORANSING. Yes, Mr. Chair.

REP. LUISTRO. ...you used the fund of the Philippine Army?

MR. BORANSING. For our participants, we used our...the Philippine Army. For the students, they used the local government unit funds, Mr. Chair.

REP. LUISTRO. Okay. That is clear, Mr. Chair. I just wish to manifest the statement of Colonel Boransing that during the youth leadership summit, for the military, they are using the military fund; and for the children or the youth, they are using the LGU fund.

MR. BORANSING. Mr. Chair, if I may.

THE CHAIRPERSON. Please continue.

MR. BORANSING. Yes. They used...Since...They used...Some used the provincial local government funds, and the municipalities, some delegates also were using the municipal LGU funds; and for the participants from the other stakeholders, from DEPED, from PDEA, from the police, of course they used they own funds. So it's really a multi-stakeholder youth summit.

REP. LUISTRO. In other words, Mr. Chair, a lot of offices and agencies are using their respective funds for intelligence in conducting the youth leadership summit, this is your statement, Colonel Boransing?

MR. BORANSING. I didn't say intelligence funds, Ma'am. What I said was, like for instance, for their billeting, for the hotel, they have to pay from their own agency funds, for their food, they have to pay po.

REP. LUISTRO. What is clear, there are different offices who shoulder their respective expenses...

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MR. BORANSING. Yes, Mr. Chair.

REP. LUISTRO. ...for the purpose of youth leadership summit, tama?

MR. BORANSING. Yes, Mr. Chair, yes.

REP. LUISTRO. In other words, it is not only the DEPED...

MR. BORANSING. Yes, Mr. Chair.

REP. LUISTRO. ...who spends its confidential fund?

MR. BORANSING. I have not...I have no knowledge of what their source of funding is.

REP. LUISTRO. But in as far as you are concerned, kanya-kanyang gastos...

MR. BORANSING. KKB.

REP. LUISTRO. ...ang ibat ibang opisina?

MR. BORANSING. KKB po.

REP. LUISTRO. And for the children, the youth, you said, it is being shouldered by the LGU, tama?

MR. BORANSING. Yes, Mr. Chair.

REP. LUISTRO. Thank you, Colonel.

May we request Lieutenant Colonel Panopio.

THE CHAIRPERSON. Colonel Panopio, you are recognized.

MR. MAGTANGOL G. PANOPIO (Commandant, 5th Division Training School, 5th Infantry Division, Philippine Army). Good afternoon, Mr. Chair, Your Honor.

REP. LUISTRO. Colonel, I have with me another certification bearing the signature of Magtangol Panopio, is this your signature?

MR. PANOPIO. Yes, Your Honor, Mr. Chairman.

REP. LUISTRO. On this certification, you certified 205 youth students from different schools, 3 youth leadership summits held in the provinces of Bulacan, Nueva and Zambales. Do you confirm this?

MR. PANOPIO. Yes, Mr. Chairman, Your Honor.

REP. LUISTRO. And similar to my question to Colonel Boransing and the other Lieutenant Colonel, nakalagay po sa certification ninyo, "To whom it may concern," doon sa taas; sa baba, "For the Commander." Kanino po ba talaga naka-address itong certification n'yo?

MR. PANOPIO. This was addressed to DEPED, Ma'am. May I explain for the commander, Ma'am.

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REP. LUISTRO. And can you please, kindly be particular who in DEPED? Ang dami po nila sa DEPED. Sino po sa DEPED ang kausap ninyo when you submitted this certification?

REP. LUISTRO. Usec Nolasco Mempin, Ma'am.

MR. BORANSING. It's Usec Mempin. Okay. And can you substantiate as well the three youth leadership summits that you conducted in your province, ikaw ba'y naka-participate dito?

MR. PANOPIO. Your Honor, Mr. Chairman, hindi po kami nag-participate specifically because, as a staff, we are just supervising and monitoring the activities of the youth leadership summits because...

REP. LUISTRO. So similar to Colonel Boransing, you are just aware of the occurrence but you were not part of the event?

MR. PANOPIO. Yes, Your Honor, Mr. Chairman.

REP. LUISTRO. And, with respect to the expenditures for similar programs, would you confirm the statement of Colonel Buransing...

MR. PANOPIO. Yes, Your Honor.

REP. LUISTRO. ...na ang mga opisinang participants ay kanya-kanya ng gastos?

MR. PANOPIO. Yes, Mr. Chairman, Your Honor.

REP. LUISTRO. And, with respect to the participating children and students thereat, tama po ba ang sinabi ni Colonel Boransing na LGU ang sumusuporta sa expenses nila?

MR. PANOPIO. Yes, Your Honor, Mr. Chairman.

REP. LUISTRO. Are you sure?

MR. PANOPIO. Yes, Your Honor, Mr. Chairman.

REP. LUISTRO. Can we recall Lieutenant Colonel Sangdaan?

MR. SANGDAAN. Yes, Ma'am.

REP. LUISTRO. Lieutenant Colonel, tanungin ko lang po iyong pagdating sa expenditure, do you confirm the statement of Colonel Boransing, kanya-kanya ng gastos lahat ng opisina?

MR. SANGDAAN. Yes, Ma'am. On...Yes, Ma'am.

REP. LUISTRO. And with respect to the children and the youth, it is the LGU...

MR. SANGDAAN. The LGU...

REP. LUISTRO. ...who supports the expenses?

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MR. SANGDAAN. Yes, Ma'am, through their POPS-PLAN.

REP. LUISTRO. Thank you.

Mr. Chair, I am done with Lieutenant Colonel Panopio. I wish to proceed to Major Dumbrigue, Major Dumbrigue.

THE CHAIRPERSON. Major Dumbrigue, you are recognized. Have you taken your oath Major? Nakapag-take na ba kayo ng oath? Okay po.

REP. LUISTRO. Major, mayroon po kayo ditong ano submission prepared by you, certified by Lieutenant Colonel Panopio. This is about the Joint 7th Infantry Division...

(MS. MARIA ALYSSA A. PADILLA TOOK OVER)

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REP. LUISTRO. (Continuing)...the Joint 7th Infantry Division-DEPED Anti-Insurgency Campaign from January 1, 2023 to December 31, 2023. Do you confirm, Major, na ang sinertipay *(certify)* niyo po dito ay 313 insurgency awareness and 9,000... no, and 166 posted social media products?

MR. ROGELIO A. DUMBRIGUE, JR. (Major/Deputy Civil–Military Operations Officer, 7th Infantry Division, Philippine Army). Good afternoon po. Yes, Ma'am, Mr. Chair, through the...that... that data was based on the reports of our line units.

REP. LUISTRO. Ang kasama po dito Brigada Eskwela, insurgency awareness, environmental protection, shared and posted social media products, and then you also have number of health-related activities. Ang dami po nito, Major. Tanong, saan po nanggagaling iyong pondong ginagamit niyo for all of these?

MR. DUMBRIGUE. Ma'am, most of that funds was under the PAPs on the APB of our line units.

REP. LUISTRO. Ano po iyong PAPs, please enlighten us?

MR. DUMBRIGUE. Projects, Activities, and Programs po.

REP. LUISTRO. And can you please tell us which agency is this?

MR. DUMBRIGUE. In particular, Ma'am, it's the Philippine Army in collaborations with our partner stakeholders in the ground.

REP. LUISTRO. In other words, similar to the statement of the three prior officers, iyong mga activities niyo ang gumagastos is the Armed Forces of the Philippines, tama po ba?

MR. DUMBRIGUE. Yes, Ma'am, Your Honor.

REP. LUISTRO. And as far as your counterpart is concerned, tama po?

MR. DUMBRIGUE. Opo.

REP. LUISTRO. At paano niyo po ba ginagawa itong anti-insurgency awareness?

MR. DUMBRIGUE. Ma'am, Your Honor, in partnership with the different schools and local government units, our line units is conducting intensified information awareness drives on security... security awareness, Ma'am.

REP. LUISTRO. How about the social media post, paano niyo po ba ginagawa 'to?

MR. DUMBRIGUE. Utilizing the social media platforms of our infantry divisions and our line units, Ma'am, we crosspost social media... media products of the AFP units and to include, Ma'am, the other agency social media products.

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REP. LUISTRO. Rough estimate lang po, Major, sa tingin niyo po itong mga reported activities niyo na ito, total of 9,712 activities I mentioned earlier, if you are aware, mga magkano po ang nagastos na pondo ng AFP dito?

MR. DUMBRIGUE. Ma'am, with that figure, the number of anti-insurgency flyers distributed, a very minimal expenses lang po dahil printed flyers lang po ito doon na with the bond paper po during our awareness drive.

REP. LUISTRO. You're saying minimal, youre saying minimal, minimal expense, you said that.?

MR. DUMBRIGUE. Yes, Ma'am

REP. LUISTRO. And it will no way reach 15 million, tama?

MR. DUMBRIGUE. Hindi po, Ma'am.

REP. LUISTRO. Hindi?

MR. DUMBRIGUE. Hindi po.

REP. LUISTRO. No way?

MR. DUMBRIGUE. No way, Ma'am.

REP. LUISTRO. Thank you.

Mr. Chair, gusto ko pong balikan si General Mempin.

THE CHAIRPERSON. General Mempin, you are recognized.

REP. LUISTRO. I'm about the wrap up, Mr. Chair.

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. General, kanina po sabi niyo hindi niyo alam iyong Confidential Fund?

MR. MEMPIN. Yeah, that's correct.

REP. LUISTRO. You still confirm that?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. But I hope you understand that the certifications, which I confirmed from the AFP officers—the four of them—pertains to the expenditure of 15 million taken from the Confidential Fund. And according to them, those certifications were required by you.

MR. MEMPIN. Your Honor, Mr. Chair, actually, I was asked by the officer of the Secretary to ask for certification coming from these units. But it is clear to them or even to me that no funds are involved. Meaning, no funds released to these units. What the Office of the Secretary is... wanted to know is the product or the result of the collaboration of various stakeholders, including DEPED, with regards to our

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youth. So, it is clear, Ma'am, that DEPED has not released any single centavo to the conduct of YLS to the units mentioned, Ma'am, Your Honor, and Mr. Chair.

REP. LUISTRO. If you are saying, General Mempin, na walang ni-release na pondo ang DEPED dito po sa Youth Leadership Summits, saan po ginastos iyong 15 million?

MR. MEMPIN. That's, Your Honor, Mr. Chair, that was... I was not aware of it. Because my... the task given to me is just to coordinate because, to be candid about it, the commanders of... Colonel Boransing, Colonel Panopio and Lieutenant Colonel Sangdaan are my former colleagues or classmates in the Philippine Military Academy.

REP. LUISTRO. Mr. Chair, I wish to ask the COA.

Attorney Camora, tama ba ang understanding ko, sa AOM may disallowance na 75 million. Out of 75 million, you are asking for supporting documents of the 15 million which were paid as rewards to informers?

THE CHAIRPERSON. Attorney Camora, you are recognized.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And in response to that supporting documents, the DEPED submitted these certifications about the Youth Leadership Summit, tama ba?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. In other words, these certifications submitted by the AFP officers are being used as justification for the 15 million utilization paid as reward to informer, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. General Mempin, your statement is completely contradictory to the stand and position of COA.

MR. MEMPIN. Your Honor, Mr. Chair, as I previously mentioned, the only task given to me is to coordinate to my colleagues in the active service of the Philippine Army to have a report on the conduct of Youth Leadership Summit. But as to the utilization or disbursement of 15 million payment to informers, I was not made aware of it and I have no knowledge that this certification is for the payment of informers, Your Honor and Mr. Chair.

REP. LUISTRO. General Mempin, I understand we also have Major General Bajao.

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You have a letter here General Bajao. This is about the 9th Youth Leadership Summits. Kanino niyo po ito in-address?

MR. ADONIS R. BAJAO (Major General/Former Commander, 9th Infantry Division, Philippine Army). Good morning, Ma'am. Good morning, Mr. Chair. May I be recognized?

THE CHAIRPERSON. Major General Bajao, you are recognized.

MR. BAJAO. Thank you, Mr. Chair.

Ma'am, I addressed the letter to Usec Nolasco Mempin po updating him of the YLS conducted in my Division then.

REP. LUISTRO. And similar to the questions that were propounded to the three other AFP officers, kapag ho ba nag wa-YLS kayo, sinong gumagastos?

MR. BAJAO. Ma'am, sari-sariling agency po na nagpa-participate dito ang gumagastos. Sa amin po more on facilitation and security, kami po ang gumagastos sa sarili naming mga tropa.

REP. LUISTRO. And with respect to the children and the youth who are the participants, do you confirm what they said already, LGU ang gumagastos?

MR. BAJAO. Yes, Ma'am.

REP. LUISTRO. At kanina po sinabi rin ni General Mempin - Balikan ko sa General Mempin. - sabi niyo, General, wala talagang gastos ang DEPED ditto?

MR. MEMPIN. Ah, to be cla…

REP. LUISTRO. You stated that kanina.

MR. MEMPIN. Because as… I was asked if the Confidential Fund…

(MS. LORILYN E. DE CASTRO TOOK OVER)

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MR. MEMPIN. (Continuing)...Confidential Fund is used for the conduct of YLS. So it's clear that no funds is downloaded or given to the Philippine Army for the use of the conduct of YLS. But if Confidential Fund is given to informers of DEPED.

REP. LUISTRO. General, that... that is tantamount to saying na walang gastos ang DEPED sa inyo when you said that they did not or DEPED did not download any fund to the military...

MR. MEMPIN. That's...

REP. LUISTRO. ...tama?

MR. MEMPIN. ...That's correct, Your Honor.

REP. LUISTRO. So, what you wanted to say, walang ginastos ang DEPED sa taga-military when it comes to the Youth Leadership Summit. Do you confirm that?

MR. MEMPIN. That's... I confirm that's correct, Your Honor, Mr. Chair.

REP. LUISTRO. Mr. Chair, I am very much surprised, but let me wrap up and make this manifestation before I yield to the other Members of the Committee.

While... While we believe that these certifications were submitted to justify the 15 million that were allegedly paid to... as reward to informers, now all the officers from the AFP—that includes General Mempin, the Usec for Administration—are stating that the DEPED did not utilize any of its Confidential Fund in support of the Youth Leadership Summit. These statements, Mr. Chair, are completely contradictory to what DEPED has made the COA believe in the submission of all these certifications.

Mr. Chair, to proceed, let us all be reminded, ito pong Confidential Fund na ito pera ng taong-bayan. We, all of us, are accountable to the Filipino citizens. Public office is a public trust. We should be accountable to the people at all times. And I do not understand why these people who are supposed to explain the 15 million is totality unaware of the same, because they are saying that they never used the DEPED fund and what they used is the fund of the AFP.

While we understand, Mr. Chair, that Confidential Fund, by its nature, is not encouraged to be scrutinized; there is nothing under the law that prohibits the same as well.

There are important observations, Mr. Chair.

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Number one, among all civilian agencies, DEPED is one of the very few with Confidential Fund.

Two, DEPED had this Confidential Fund only in 2023 and never in prior time.

Three, I hope we can show also that while the DND, which has a mandate to address the national security, has 37 million Confidential Fund only, the Department of National Defense has 37 million, the DEPED, which mandate does not include national security, has 150 million Confidential Fund.

Mr. Chair, to continue, while the police… the AFP officers already denied this YSL…YLS having been supported by DEPED, 15.54 million po ang amount that the DEPED is trying to justify in making use of the certifications that were submitted by the AFP.

Number five, Mr. Chair, prior to 2016, 'pag ang pinag-usapan po natin ay Youth Leadership Summit, it is the AFP who leads and they just coordinate with DEPED. But on the report that was given by COA, it seems to appear that the one leading the Youth Leadership Summit is the DEPED in coordination with AFP. Baligtad po ito.

Number six, Mr. Chair, I do not want to preempt any conclusion, however, Mr. Chair, General Mempin spent 2017 to 2023 of his AFP career in Davao City and Davao Region. During this time, the former President is the President and our Vice President is the Mayor. During those time, Mr. Chair, Davao City, while it is authorized to have and to utilize Confidential Fund, I believe, has one of the highest Confidential Fund among the LGUs in the entire country. I hope the Secretary can produce the data.

I wish to ask, Mr. Chair, ito bang lahat ng ito ay coincidences? Given this observation, let us all be reminded that the leeway that is being given to Confidential Fund is to be able to address a very important concern, and that is national security of the country. No more, no less. The procurement and the liquidation were made liberal in recognition of the significance of the purpose of the Confidential Fund. However, Mr. Chair, if there are glaring indications of irregularity already, as those that we have mentioned, plus the admission of the AFP, is it not that COA should address its mandate of making sure that all receipts and all expenditures are duly accounted for the Filipino people?

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Question number one, since when has irregularity in Confidential Fund been happening?

Two, what has COA done so far with respect to its accounting rules in order to address the irregularity?

And, three, will COA simply brush aside these irregularities, especially with the admission of the AFP that they were the one who spent for the 15 million Youth Leadership Summit and not the Department of Education?

Let us remember, regardless of which office in the government we belong, public trust always carries accountability.

To tone down the mode of our investigation at para mas maintindihan po ako ng mga tao, mayroon hong prominent na line sa pelikulang Star Wars, ang sabi, "Comes with great power is great responsibility." If you translate this to constitutional language, let us all be reminded, public office is a public trust. The trust that is given to us by the people carries with it due accountability.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Congresswoman Luistro.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. The Chair...

REP. ACOP. Yeah, Mr. Chair.

THE CHAIRPERSON. With the indulgence... With the indulgence of Congressman Flores, Congressman Acop. The Chair recognizes Congressman Acop.

REP. ACOP. I would just like to ask some clarific... clarificatory questions regarding the interpellation of the Honorable Luistro.

May I know who can answer me? Sino ang makakasagot? Kanino bang program itong sinasabi natin na Youth Leadership Summit? Is it the program of the DEPED, the Armed Forces of the Philippines? Kanino? Sino ang makapagsasabi sa akin?

THE CHAIRPERSON. Major General Bajao.

MR. BAJAO. Bajao, Sir.

THE CHAIRPERSON. Bajao.

MR. BAJAO. May I be recognized, Mr. Chair?

THE CHAIRPERSON. You are recognized.

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MR. BAJAO. Your Honor, it's a Philippine Army-wide program, a three-day activity po.

REP. ACOP. It's an activity included in the budget of the Armed Forces of the Philippines, tama?

MR. BAJAO. Yes, Your Honor.

REP. ACOP. It's one of the PPAs insofar as your budget is concerned?

MR. BAJAO. Yes, Sir.

REP. ACOP. So, in other words, when you conduct these…these events, you do not need the help of other agencies or the funding of other agencies?

MR. BAJAO. I would disagree to that, Your Honor…

VOICE. Funding.

REP. ACOP. …*(Unintelligible)*

MR. BAJAO. ...because we can only spend for our own troops. But the need of other participants…

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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MR. BAJAO. (Continuing)... (4:40) other participants and the subject matter experts have to be carried by...

REP. ACOP. Now...

MR. BAJAO. ...participating agencies po.

REP. ACOP. ...what are... what is the legal basis why the program of the Armed Forces of the Philippines is participated on by other agencies of government? What is the legal basis?

MR. BAJAO. Ah, Your Honor, we just operate in the context of the Peace and Order Councils po. Our participation in the POC would also reflect on the participation of other agencies when we conduct this activity, Sir.

REP. ACOP. O, direct question na lang, General, did you receive any funds from the Confidential Funds of the OVP in the conduct of your... of these events?

MR. BAJAO. No, Sir.

REP. ACOP. No?

MR. BAJAO. No, Sir.

REP. ACOP. There's no funds coming...There are no funds coming from the Office of the Vice President...

MR. BAJAO. Yes, Sir. No funds...

REP. ACOP. ...regarding this?

MR. BAJAO. ...coming from them.

REP. ACOP. Thank you.

Ah, may I ask Usec Mempin...

MR. MEMPIN. Yes....

THE CHAIRPERSON. Usec Mempin, you are recognized.

REP. ACOP. ... why would...

THE CHAIRPERSON. Yes.

MR. MEMPIN. Yes, Your Honor.

REP. ACOP. ...why would certifications be addressed to you?

MR. MEMPIN. Your Honor, Mr. Chair, as I mentioned to... a while ago, I was asked by the Office of the Secretary to...

REP. ACOP. By the... again?

MR. MEMPIN. ...get report from the...

REP. ACOP. You were asked by the...? Please...

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MR. MEMPIN. Office of the Secretary.

REP. ACOP. By the?

MR. MEMPIN. Office of the Secretary.

REP. ACOP. And who in the Office of the Secretary asked you that? Hindi naman puwedeng magsalita iyong Office of the Secretary, 'di po ba?

MR. MEMPIN. Yes, Sir.

REP. ACOP. So, there must be somebody from the Office of the Secretary who asked you to do that.

MR. MEMPIN. It's…

REP. ACOP. And may I know who that is?

MR. MEMPIN. It's our former Chief of Staff...

REP. ACOP. And who might that be? And who might that be?

MR. MEMPIN. Ah, former Usec Attorney Mike Poa po, Sir, Your Honor.

REP. ACOP. Usec Poa, would you… would agree to the answer of the Usec… of Usec. Mempin?

MR. POA. Yes. Mr. Chair, ah, Congressman Acop, yes, I... I confirm that.

REP. ACOP. That you asked him to ask for the certifications from the different unit commanders of the Armed… of the Philippine Army?

MR. POA. If I may explain, Your Honor? The answer…

REP. ACOP. Hindi...

MR. POA. …is yes.

REP. ACOP. …sagutin mo muna iyong tanong ko…

MR. POA. Opo.

REP. ACOP. …bago ka mag-explain.

MR. POA. Yes po.

REP. ACOP. 'Di ba? Yes.

MR. POA. Yes po.

REP. ACOP. So, tama iyong sagot sa akin ni Usec Mempin?

MR. POA. Yes po. Yes po.

REP. ACOP. Na kayo po ang humingi sa kaniya… na humingi siya ng certification doon sa mga units ng Philippine Army na nag-conduct ng YLS?

MR. POA. Your Honor, if I may qualify? Hindi po specifically on YLS. What I asked for was for any accomplishment. Kasi po iyong… ayon doon sa AOM na

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natanggap namin, 'pag nagbigay daw po ng rewards, you needed evidence of success of the information you received from the rewards… I mean, you received through the giving out of rewards. So, because of this I coordinated with Usec Mempin to see… ah, to… to provide any proof of accomplishment para po doon sa rewards na na-disburse ng Confidential Funds.

REP. ACOP. Thank you.

May I ask, you have been in the army, Usec Mempin, 'di ba?

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. ACOP. Ano po ang part ng programang… ano 'to, YLS na may kasamang rewards?

MR. MEMPIN. Ah, none, Sir.

REP. ACOP. Can you please tell which part of that program would require the giving or the awarding of rewards? Which part of the program would require the gathering of information? Kasi iyon po iyong purpose ng Confidential Fund ng DEPED. Apat po iyon. Now, which part of this?

MR. MEMPIN. Your Honor, Mr. Chair, for the conduct of YLS *per se* there is no…

REP. ACOP. No?

MR. MEMPIN. …in that particular… any areas of that for…

REP. ACOP. Yes.

MR. MEMPIN. …rewards, giving of rewards, Your Honor, Mr. Chair.

REP. ACOP. Basahin ko man nang ilang beses iyong programa na iyon, walang nagsasabi doon na puwedeng gamitin iyong Confidential Fund ng isang agency. Would you agree with me?

MR. MEMPIN. Ah, yes, Your Honor, Mr. Chair.

REP. ACOP. Yes.

So, Usec Poa, mali po iyon. Ah, kasi kitang-kita naman na natin, eh, that you asked for these documents to support your liquidation insofar as the Confidential Fund of the Department of Education is concerned. Kasi 'di naman kayo, basically, primordial na kasama doon po sa mga events na iyon, and yet you are submitting or you submitted to COA documents to support your liquidation of the Confidential Fund of the Department of Education. Wala, eh, kahit na anong basa ko. Kasi for your information…

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MR. MEMPIN. Yes, Sir.

REP. ACOP. ...Usec Poa, naging comptroller ako ng pulis, eh, kaya alam ko kung ano ang sinasabi nitong mga miyembro ng Philippine Army ngayon, eh. Alam ko rin na ginagamit niyo lang iyon para i-justify iyong expenditure niyo ng Confidential Fund ng Department of Education, 'di ba? You just used that to justify your liquidation of the fund, 'di po ba?

MR. POA. Yes, Your Honor.

REP. ACOP. Yes.

MR. POA. If I may also... just...if, Your Honor, will allow, Mr. Chair.

THE CHAIRPERSON. Mr. Michael Poa, you are recognized.

MR. POA. Ah, basically, just to expound and just so I can inform the Committee factually what happened. We received an AOM back in February asking for certain documents one of which is... are the DEPs, which are the document evidence of payments. Another one would be for the... doong 'pag may rewards daw kailangan daw po mayroong evidence of success.

I am... Because I am not aware on how the Confidential Funds were operationalized, I went to our... to Usec Mempin, who is the... our former security consultant, to ask if there would be any document that we would be able to show the COA na mayroon namang success. On the premise that whatever activity was conducted on the ground by the military was targeted because of information received from DEPED due to those rewards given out. Iyon po iyong pinanggagalingan ko. And when I received the certifications, I submitted them as such in response lang po to the AOM.

REP. ABANTE. Ah, Mr. Chair, just a clarification, 'no.

MR. POA. Opo.

REP. ABANTE. I...

THE CHAIRPERSON. Yes, Congressman Abante. You are recognized.

REP. ABANTE. I heard him mention that he is not aware of the nature of the Confidential Fund., is that right?

MR. POA. Not the nature... If I may clarify, Mr. Chair, not the nature. I understand the nature of Confidential Funds, but on how it is actually operationalized or used on the ground, under oath, I... I would like to state for the record that I'm really not aware. Hindi ko po nakita iyong fund. Hindi ko po alam kung papaano siya

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in-operationalize on the ground. Ang participation ko po ay naganap noong ako po ay OIC for Finance kasi, at that time, noong na-receive namin iyong AOM, and we had to respond to the AOM. And so, because we had to respond to the AOM, I had to get all the documentation that they... that COA was asking for po through that AOM.

THE CHAIRPERSON. So, ibig sabihin mo, hinihingi niyo lamang po itong mga documentation na ito para lang ma-justify kung papaano ginamit, pero in ac... in actual, hindi talaga doon ginamit, tama po ba? Parang ganoon ang pagkakaintindi ko, eh. Parang hinihingi niyo lang po iyong certification noong nilabasan na kayo ng AOM.

MR. POA. Noong... Noong...

THE CHAIRPERSON. Tama po?

MR. POA. Tama po. Noong lumabas po iyong AOM...

THE CHAIRPERSON. Saka kayo humihingi nito?

MR. POA. ...kailangan daw po ng evidence of success.

THE CHAIRPERSON. Yes. So, kahit na hindi doon ginamit, gumawa kayo ng mga documentation na parang doon ginamit?

MR. POA. Ah...

THE CHAIRPERSON. Kung tama po iyong pagkakaintindi ko.

MR. POA. Hindi naman po ga... Mr. Chair.

THE CHAIRPERSON. Kasi ang lumalabas po hindi naman po doon ginamit iyong Confidential Fund, pero itong documentation na in-issue po nila Usec Mempin, iyon ang sinabmit *(submit)* natin sa COA, just to justify iyong AOM.

MR. POA. Mr. Chair, again, this is just my...under my impression...

THE CHAIRPERSON. Okay.

MR. POA. ...noong nakuha ko iyong certification, ano po. The certification po kasi, when I read it, stated that they... they conducted iyong mga YLS based on the information...

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MR. POA. (Continuing)...information received from LGUs, DEPED, *et cetera*. So, ang impression ko po—and, again, this is just my impression—is that, because of the information they received from DEPED, isinagawa nila, targeted kung saang areas iyong YLS. Again, that is just my interpretation of the certification, Your Honor. And whether or not that is, indeed, the case, I really do not have personal knowledge to it.

THE CHAIRPERSON. Yes. But you have no idea if... if the fund coming from Confidential Fund was utilized from YLS. Wala po kayong idea?

MR. POA. I cannot confirm or deny that, Your Honor.

THE CHAIRPERSON. Okay. Tama po.

Yes, the Chair would like to recognize... ay, yes, please continue, Congressman Acop.

REP. ACOP. Thank you.

So, Usec Mempin, wala pong ibinaba na pondo sa Armed Forces of the Philippines or sa Philippine Army units, wala?

MR. MEMPIN. As far as I know, Sir, wala po, Sir.

REP. ACOP. Iyong mga units ng Philippine Army which conducted the... the summits, wala rin po kayong pondong natanggap galing sa DEPED. Would that be correct?

MR. BORANSING. Yes, Sir. Correct, Sir.

REP. ACOP. That's correct. Now, may I ask bakit kayo nag-issue ng certification? Hindi. That's not you kasi hindi naman ikaw ang nag-certify, eh. Why... Why did you issue certification?

THE CHAIRPERSON. Sino po ang... Sino po ang sasagot?

MR. BORANSING. Mr. Chair...

THE CHAIRPERSON. Colonel Boransing...

MR. BORANSING. Yes, Sir.

THE CHAIRPERSON. ...you are recognized.

MR. BORANSING. Mr. Chair, Sir, as I earlier mentioned, Sir, because all... almost all our activities on the ground are multi-stakeholder, when we appear in activities of one or many agencies, many agencies ask for certifications of attendance, As I have asked the Secretariat to issue us with a certificate of attendance that we attended this activity. We assumed that that certification was also

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for those... for that purpose. So, a lot of other national government agencies and local government units asks for certifications in that manner also.

REP. ACOP. So, you are trying to tell us that it was Usec Mempin which required the submission of that cer... of those certifications? Siya po ba ang nag-require sa inyo?

MR. BORANSING. Yes. He asked, Mr. Chair. Yes, Sir.

REP. ACOP. Was it through a written document or what?

MR. BORANSING. He called our commander, Sir.

REP. ACOP. Ganoon na po ba ngayon sa Armed Forces of the Philippines?

MR. BORANSING. Well, Sir, the other agencies also, like, for instance, the Department of... the regional offices of the Department of Agriculture, TESDA, they also text me during our activities. So, I think it's accepted mode of an official communication, Sir.

REP. ACOP. Hindi. For your information, iyon pong purpose ng Confidential Fund ng kuwan, ng DEPED in its accomplishment report, ay apat po, for your information: number one, counterinsurgency programs; number two is abuse prevention and control within schools; number three, anti-illegal activities operations; and anti-extremism and terrorism programs, 'di po ba? Nowhere could I find dito po sa accomplishment report na sinabmit *(submit)* ng... ng office of the Department of Education would I see na iyong... iyong... iyong activity ng Armed Forces of the Philippines is enumerated. Wala, eh. Wala akong makita. And yet, iyong mga ginawa niyong activities ay nandoon ngayon doon sa pag-li... sa liquidation ng contingency fund ng DEPED, bakit ganoon?

Usec Mempin, did you not ask why when you were asked to... to get certifications or to secure certifications from those units of the Armed Forces of the Philippines which conducted the YLS, eh, hindi mo tinanong bakit?

MR. MEMPIN. Your Honor, Mr. Chair, as former Usec Poa mentioned, I was also informed that the Office of the Secretary needs some impact or outcome of the efforts of the Department of Education in terms of protecting the youth, including the out-of-school youth and some IPs. So, I was not aware of... that is the... purely justification for the Confidential Fund. So, I coordinated with the Philippine Army commanders, my former colleagues, to give feedback or... in terms of certification that they have conducted YLS in coordination with various stakeholders, to include

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Department of Education. So, iyon po iyong parang pinaka-basis ng coordination ko po sa mga Philippine Army units na nandito po ngayon.

REP. ACOP. Kasi maski sa certification, Usec, wala rin akong nakita na amount na nakalagay doon sa mga certifications ng mga unit commanders ng Philippine Army, wala. So, may ibang purpose lang iyong pagkuha niyo ng certification na iyon. And… And, as I have said, it is used to justify iyong expenditure ng… o pag-spend ng Confidential Fund ng Department of Education.

Now, COA, would it be true na nagbigay po kayo ng CN o Credit Notice doon sa first two quarters ng use ng Confidential Fund ng kuwan, ng DEPE?

THE CHAIRPERSON. Attorney Camora, you are recognized.

MS. CAMORA. Yes po, Mr. Chair.

REP. ACOP. May I know the basis why nagbigay po kayo ng Credit Notice? Kasi, what I know is, if you… if you give Credit Notice, everything is proper.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, bakit po kayo nagbigay ng Credit Notice doon sa first two quarters?

MS. CAMORA. Since nag-submit po sila ng documents that we required in the AOM, we deemed them okay na po for the compliance.

REP. ACOP. Parang… Parang sa Joint Circular din?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Hindi ba?

MS. CAMORA. Yes, Mr. Chair. Actually, iyon nga po, iyong certifications is one…

REP. ACOP. When…

MS. CAMORA. …of the requirements po. I… I mean…

REP. ACOP. …When we say parang sa Joint Circular, you do not do anything to find out whether the… the data or the certifications given you would be reasonable or true? Hindi ninyo titingnan, 'di po ba?

MS. CAMORA. Mr. Chair, since doon sa certifications, nilagay po nila na due to the collaboration between the DEPED and the Philippine Army, wala pong mga batang recruited, okay na po iyon sa amin.

REP. ACOP. Okay na sa inyo pursuant to your, shall we say, circulars?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Ganoon?

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MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Ganoon po iyon. Eh, paano, paano nga natin mababantayan iyong kuwan pag ganiyan ang inyong pag-iisip, 'di po ba?

Now, Mr. Chair, please allow me to... to come up with my parochial concern. Because I heard a while ago that Usec... Usec Densing was in charge of the allocation of the BEFF or Basic Educational Facilities, Tama po ba?

MR. DENSING. Mr. Chair, if I may?

THE CHAIRPERSON. Usec Densing, you are recognized.

MR. DENSING. That's correct, Sir.

REP. ACOP. Correct. Puwede ko bang malaman bakit walang napunta sa Antipolo *(Laughter)* na school building...

MR. DENSING. Sir...

REP. ACOP. ...during your term or the term of VP Sara?

MR. DENSING. Ang nahawakan ko po, actually, is '24...

REP. ACOP. Hindi. Tinatanong ko nga. Sagutin mo muna ako.

MR. DENSING. Opo. Sir... Pero, Sir, ang sa Antipolo kasi, Antipolo, Taytay—tinanong ko rin kasi iyan doon sa Technical Working Group—wala na pong buildable space. Iyon po ang binanggit sa akin.

REP. ACOP. Walang buildable space?

MR. DENSING. Opo.

REP. ACOP. There is a fund with the... the DEPED na pambili ng spaces, 'di po ba?

MR. DENSING. Wala po. Iyon po ang ni-lobby namin noong nakaraang GAA... budget...

REP. ACOP. That is for GAA 2022?

MR. DENSING. '24 po, '24.

REP. ACOP. Ah, hindi. Tinatanong ko nga, eh.

MR. DENSING. Ah, sa '22 po, wala.

REP. ACOP. Congressman ako noong 2022.

MR. DENSING. Opo.

REP. ACOP. My wife was a Congresswoman...

MR. DENSING. I wasn't there yet but I... there was no fund, Sir.

REP. ACOP. ...since 2019...

MR. DENSING. I was not there yet...

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REP. ACOP. ...pero wala kaming natatanggap.

MR. DENSING. Opo.

REP. ACOP. Your records will bear me out.

MR. DENSING. Opo, opo. I recognize…

REP. ACOP. As a matter of fact, the first time…

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REP. ACOP. (Continuing)...first time, 2022, nag-usap po tayo kasi kinausap po ninyo iyong mga kuwan, eh, iyong mga par... members ng parties, 'di po ba, and we talked. Sinabi ko iyong concern ko na iyon, eh.

MR. DENSING. Opo. We did. In fact, noong ginawa nga nila, may mga districts nga, legislative districts, na wala po.

REP. ACOP. Now, may I ask you, Usec Densing, is that following the mandate of the Constitution that you are supposed to equitably distribute government resources?

MR. DENSING. That's the part... That's the part of the criteria that I mentioned to the National Technical Working Group.

REP. ACOP. Hindi. Tinatanong nga kita, eh.

MR. DENSING. Opo.

REP. ACOP. When you do not allocate school buildings doon sa isang lugar, is that equitable distribution?

MR. DENSING. Again, Sir, the problem was there is... there are no buildable spaces in the area.

REP. ACOP. Sino po ang nagsabi?

MR. DENSING. Iyong National Technical Working Group po.

REP. ACOP. Itong 2024, humingi ako.

MR. DENSING. Opo.

REP. ACOP. 2024 humingi ako. There are buildable spaces, pero wala pa rin. And you cannot explain that to me.

MR. DENSING. Well, Sir, I could not answer because the... the fund was really small at that time, originally at 19.7 NEP.

REP. ACOP. So, what you are trying to tell me, Usec, is that hindi po priority iyong... iyong distrito ko po?

MR. DENSING. No, Sir. Priority po iyong inyo dahil mataas po ang shortage sa Antipolo.

REP. ACOP. Kasi nag... nag... mayroon pa kaming three shifts, eh.

MR. DENSING. Opo. Kaya po priority kayo, Taytay...

REP. ACOP. Pero... Pero wala pa rin kami. Kung priority kami sa mata ninyo, eh, bakit hindi kami nabibigyan? O baka tama iyong sinasabi ni Johnny Pimentel?

MR. DENSING. Ah, hindi po tama iyon. Hindi po tama iyon.

REP. ACOP. Thank you, Mr. Chair.

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THE CHAIRPERSON. Thank you.

The Chair would like to recognize the Honorable Jonathan Keith Flores.

REP. FLORES. Thank you, Mr. Chair.

Usec Mempin.

MR. MEMPIN. Yes, Your Honor.

REP. FLORES. Sir, is there any other person, is there any other Usec who has been given the same designation to oversee the YLS programs o ikaw lang from DEPED?

MR. MEMPIN. Actually, I was not the one in charge of the YLS. I was just tasked to coordinate with the Philippine Army with regards to the report of their conduct of YLS. But in Department of Education, the Operation Strand is the one who has the mandate of... under po sa kanya iyong program ng YLS but hindi po sa Administration Strand.

REP. FLORES. So, are you saying na as far as these certifications are concerned, ang only parang role mo or designation mo was to collect them?

MR. MEMPIN. Yes po, iyong...

REP. FLORES. To collect them?

MR. MEMPIN. To coordinate, opo.

REP. FLORES. To coordinate with them?

MR. MEMPIN. Yes, opo. Yes, Your Honor.

REP. FLORES. And the collection was for the purpose of liquidating the expenses or hindi mo alam for what purpose?

MR. MEMPIN. I was not exactly aware, but I'm made aware of they need some... to see the impact of the collaborations of the Department of Education with the Philippine Army and other stakeholders that resulted... through the YLS that resulted to the prevention of recruitment through violence, extremism, and other threats po, Sir.

REP. FLORES. Sir, you said impact, 'no, impact of the YLS conducted by the AFP ang ibig mong sabihin?

MR. MEMPIN. Yes, Sir, which is the prevention of recruitment.

REP. FLORES. Yes. So, what then is the role of DEPED when it was a purely AFP event?

MR. MEMPIN. Because, if not all, majority of the participants are...

REP. FLORES. Students.

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MR. MEMPIN. ...also coming from the schools.

REP. FLORES. Yes, but other than them being students, it's as if DEPED is claiming an activity that was not theirs in the first place, tama po ba?

MR. MEMPIN. Yes, Sir. We're just purpose of coordination.

REP. FLORES. What... What coordination? You just asked for the certifications. What coordination you are talking about? Tapos na iyong activity, eh. You just asked for a certification. What coordination are you talking about, Usec Mempin?

MR. MEMPIN. Coordination for the certification because...

REP. FLORES. For the certification...

MR. MEMPIN. Opo.

REP. FLORES. ...but not for the activity itself, tama ba?

REP. ACOP. Anong buwan iyan?

MR. MEMPIN. Yes, Sir, because that...

REP. FLORES. Yes. But then you are claiming that the impact was because of the DEPED activities. You are asking for certifications claiming that this was the impact of the activities of DEPED by spending their Confidential Funds on this and that, *et cetera, et cetera.*

MR. MEMPIN. Your Honor, let me correct, it's not DEPED initiating, but the activity of... because the conduct of YLS is primarily the activity or work of...

REP. FLORES. Kaya nga, you're asking for a certification that they conducted this and they included this number of young persons, and the only contribution actually DEPED has was that most of the students there were enrolled in DEPED. But actually wala kayong actual participation in the YLS, tama po ba? That's correct, right?

MR. MEMPIN. That's correct, Your Honor.

REP. FLORES. And all you did was collect the certifications from the different units of the military that they conducted these activities and that they had this number of participants, tama po ba?

MR. MEMPIN. That's correct, Your Honor.

REP. FLORES. Okay.

Now, Mr. Poa, who directed you to secure the certifications?

THE CHAIRPERSON. Mr. Poa, you are recognized.

MR. POA. Thank you, Mr. Chair.

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Sir, no one directed me.

REP. FLORES. No one requested you?

MR. POA. I was the one who coordinated.

REP. FLORES. So, initiative mo lang na mag-secure ako ng certifications kasi may kailangan akong i-justify na expense, tama po ba?

MR. POA. Opo, but...Yes, Sir, but not necessarily for YLS, because, if I may be very candid and honest, hindi naman po ako familiar sa YLS to begin with.

REP. FLORES. So... So, why did you ask Mempin to secure the certifications?

MR. POA. Your Honor, because we needed to secure... not certifications, but evidence of success for any purchase of information gathered or rewards given in exchange for information. So...

REP. FLORES. Okay. Now, what... what information was purchased in the conduct of the YLS by the AFP? Tell me?

MR. POA. Your Honor, I... I honestly wouldn't know exactly.

REP. FLORES. So, why would you ask for a certification like that?

MR. POA. I asked Usec Mempin, being our security... former security consultant...

REP. FLORES. Yes.

MR. POA. ...and the one that has coordination with the AFP, to see if, due to the information given by DEPED, they were able to have targeted programs where we... wherein we can respond to the AOM and show that there was, in fact, success in the...

REP. FLORES. Now... Now, you just heard Usec Mempin say that his only participation was in securing the certification.

MR. POA. Yes, Your Honor.

REP. FLORES. Now, why would you ask him for certifications? Ang sabi mo nga that this is the impact of the rewards that you've been giving. This is the impact of the.. the information that you have been rewarding, hindi ba? What is the impact there? Tell me, Mr. Poa.

MR. POA. In... In my... My impression, Your Honor, Mr. Chair, is that if the AFP were able to target, kumbaga, hold... not just YLS, but hold programs targeted groups because of the information provided by DEPED, then that would show that it was successful.

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REP. FLORES. Okay, what information was provided by DEPED? And to whom was this information provided?

MR. POA. Your Honor, I really... to be... again, to be...

REP. FLORES. Yes.

MR. POA. I am under oath...

REP. FLORES. Yeah.

MR. POA. ...hindi ko talaga alam...

REP. FLORES. O, kaya nga...

MR. POA. ... kung ano iyong operation...

REP. FLORES. ...hindi mo alam, hindi niya rin alam, yet you're just using these certifications to justify something.

MR. POA. Your Honor...

REP. FLORES. Hindi mo a... Ito ha, hindi mo alam ano ang rewards... ano ang ire-reward mo. Hindi niya alam ano ang information na binili ninyo, hindi ba? Yet, you asked Usec Mempin to secure certifications.Si Mempin naman secured certifications from activities conducted by the Philippine Army using their own funds. So, saan diyan ang ano? Tell me, explain to me, Mr. Poa, where is the connection of the justification for this expense with the certifications issued by them and in relation to supposedly the rewards for the information that you gathered by using Confidential Funds?

MR. POA. Yes, Your Honor.

Mr. Chair, under my theory, Your Honor, if we were able, because may mga anti-insurgency—iyon iyong nakita ko sa accomplishment report, 'no—anti-insurgency campaigns, 'di po ba? So... anti-extremist campaigns. So, that's why I approached Usec Mempin and said, "Mayroon ba tayong makukuhaan ng any report or any certification—kasi iyon ang nasa JMC—showing that because of the information that DEPED was probably able to give the AFP, na target nila kung sino iyong mga susceptible to insurgency and were able to at least prevent them from being recruited?" And, in this case, ang nabigay po nila would be seminars, and that is why, iyon po ang sinabmit (*submit*) ko sa AO... sa response namin sa AOM.

REP. FLORES. Okay, ano, parang... for me ha, forgive me po, ha...

MR. POA. Yes, Sir, I understand.

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REP. FLORES. ...Ang labo kasi, eh, na you saying na ito iyong information that we... we... we gathered using this reward money, supposedly, and that, in effect, the AFP conducted these seminars, tama po ba?

MR. POA. Yes, Your Honor.

REP. FLORES. But from the testimonies that you've heard, walang koneksyon...

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REP. FLORES. (Continuing)...anong koneksiyon nito, whatsoever, yet you used these certifications issued by them to justify an expense with COA.

MR. POA. Mr. Chair.

THE CHAIRPERSON. Please continue.

MR. POA. Respectfully, Your Honor, ang confidential funds, hindi naman talaga, sa pagkakaalam ko, 'no, theoretically, hindi naman puwedeng ibigay ng isang ahensiya sa kabilang ahensiya iyan. That is something that you can only use, as per the JMC, for purchase of information so that you can have program, *et cetera*.

REP. FLORES. Stop... Can I stop you there for...? Sorry, Mr. Poa, ha. Pero, iyon nga, paulit-ulit tayo, eh, na it all boils down to the fact that you are using a certification of an activity of a different agency, who never spent any single peso coming from your office, to justify your expense, tama po ba?

MR. POA. Mr. Chair, again respectfully, the justification is not that they spent the money of DEPED. The justification that, under my impression...

REP. FLORES. You attached it to justify your expenses nga, eh, 'di ba?

MR. POA. Yes, Your...

REP. FLORES. So... So, you tell me, where is the connection there?

MR. POA. The con... Mr. Chair.

THE CHAIRPERSON. Please continue.

MR. POA. Respectfully, the connection, Your Honor, is, if they were able to hold iyong seminars nga, which, in the beginning, hindi ko man lang alam na seminars iyong ibibigay na certification po, ha, just to be clear, if they were able to hold the... the seminars in certain locations because of information given by DEPED to them that these locations have vulnerable learners that they... wherein seminars have to be held, for example, iyon po iyong justification namin na sinabmit *(submit)* as COA on the success of the expenditure. But not success, meaning, binayaran po namin ang AFP. That was never the impression, Your Honor.

REP. FLORES. So... So, ang sinasabi mo is that AFP conducted these seminars because you gave them the information that this sector is vulnerable?

MR. POA. Not... Not me, *per se,* but that is the theory, Your Honor, yes.

REP. FLORES. Okay.

AFP, Colonel Boransing, Sir.

THE CHAIRPERSON. Colonel Boransing, you are recognized.

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MR. BORANSING. Yes. Thank you, Mr. Chair.

REP. FLORES. When the YLS was conducted in your area by your Division, you conducted it because it was a regular program of your Division, tama po ba?

MR. BORANSING. Yes, Mr. Chair.

REP. FLORES. Yes.

Now, how about you, Colonel Panopio, did you conduct a YLS in your area with our Division or with your Battalion because it is a regular program of your Battalion or of the AFP?

MR. PANOPIO. Yes, Your Honor, Mr. Chair.

REP. FLORES. See, Mr. Poa? Do you want me to ask the others? They will still be giving me the same answers po.

MR. POA. Yes, Mr. Chair. Your Honor, I am not… I am not in a position to really tell you kung talaga bang… kung ano iyong information…

REP. FLORES. Then who is in position to tell me that?

MR. POA. Your Honor, I…

REP. FLORES. Sino?

MR. POA. It would probably be the Secretary, Your Honor, or the ones that are responsible for the con… the Confidential Funds, kasi wala naman po talaga, and again, I'm under oath, wala po talaga akong nalalaman.

REP. FLORES. So, kaya… who is responsible for the Confidential Funds?

MR. POA. Your Honor, the Secretary and the SDO are the only ones that are privy.

REP. FLORES. You know..

MR. POA. Opo.

REP. FLORES. …if only they would have been here to answer the questions para mas maklaro po kasi, right now, everyone is really confused, 'no. Una, why will you be using a certification of an activity of another unit, tama ba? It's confusing, right? If we… it's just between us nga, it's confusing, eh. Now, if you hear the… the answers of the AFP, silang lahat had nothing to do with DEPED. When they conducted the YLS, it had nothing to do with DEPED. It was their own programs that were pursuing. Now, here comes Usec Mempin, collecting the certifications from the activities conducted by AFP, submitting it to you, and you submitting it to COA to justify your expense.

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MR. POA. Yes, Your Honor. That is...

REP. FLORES. It's wrong, 'di ba?

MR. POA. Yes, but...

REP. FLORES. From... From all... From... No matter how you look at it, it's so wrong.

MR. POA. Mr. Chair.

THE CHAIRPERSON. Please proceed.

MR. POA. But, yes, factually, that's really what happened, Your Honor, I really got the certifications, I got the documents evidencing payment, the DEPs, which are the acknowledgment receipts. I attached them because that's what COA was looking for, and I submitted to COA, Your Honor.

REP. FLORES. Kaya nga.

Anyway, I have already asked my questions, Mr. Chair. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. A. D. GONZALES. Mr. Chair.

THE CHAIRPERSON. Briefly, briefly. You are a lawyer, tama po ba?

MR. POA. Yes, Your Honor.

THE CHAIRPERSON. Yes. Ang tanong ko lang, hindi po ba ninyo binasa muna iyong justification bago ninyo sinabmit *(submit)* sa COA? Kasi po, ang hinahanap po ninyong justification sa AOM is insurgency, tama po ba?

MR. POA. Opo.

THE CHAIRPERSON. Tapos, ang sina-submit ninyo, seminar? Ah, hindi po ba medyo... Siyempre, tayo, abo... abogado tayo, eh, mabusisi tayo sa mga dokumento, eh.

MR. POA. Yes.

THE CHAIRPERSON. So, hindi po ba parang...Well, ako, napapanood ko po kayo, napakagaling po ninyong sumagot, very articulate po kayo, very sharp po kayo as a lawyer, pero dito po parang hindi ako makapaniwala na nag-submit kayo ng isang dokumento na iba iyong intensiyon. So, iyo... Hindi, iyon lang po iyong comment ko.

Yes, Congressman... Ah, with the indulgence of Congressman Valeriano.

REP. ROLANDO M. VALERIANO. Yes.

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THE CHAIRPERSON. Yes. Hindi, with the indulgence, okay po ba na si... may itatanong lang daw po siya?

REP. VALERIANO. Sige po, Mr. Chair.

THE CHAIRPERSON. Sige po. Yes, Congressman Dong Gonzales.

REP. A. D. GONZALES. Yes, thank you, Mr. Chairman. Thank you, Mr. Chairman.

May tanong lang ako sa DEPED. Did DEPED coordinate with the Philippine Army during the entire year, eh, hindi ho 'ata si... hindi ho po yata sila gumastos ng fourth quarter ng 2023? DEPED, nag-coordinate po ba iyong DEPED sa Philippine Army?

THE CHAIRPERSON. Sino po sa DEPED ang pupuwedeng sumagot?

REP. A. D. GONZALES. Mr. Poa?

MR. POA. Ay, ako, Your Honor, I...

THE CHAIRPERSON. Yes, Attorney Poa.

MR. POA. Ako, Your Honor, I wouldn't have any personal knowledge on coordination, except... I do... I cannot tell you the date, I don't remember now, but there was at least a... parang MOA signed, dapat parang MOA na pino-formulate ang Operations Team namin with the PNP during my time as Chief of Staff, pero hindi na-conclude iyon when I was still there, Your Honor.

REP. A. D. GONZALES. Thank you. Maybe, the...

THE CHAIRPERSON. May I know if Usec Escobedo, who is the Undersecretary for Operations, may I know if—babae ba ito o lalaki?—Revsee, Revsee, may I know if she is present. Wala po? Wala. Wala po.

REP. A. D. GONZALES. Well, I will just continue, Mr. Chair.

THE CHAIRPERSON. Yes, please continue.

REP. A. D. GONZALES. Maybe I will ask the commander of... the commander if the program lasted up to the end of the year? Mayroon po kayong programa sa mga commander sa... from DEPED from this Q... Q.. fourth quarter of this CF?

THE CHAIRPERSON. Sino po ang sasagot?

REP. A. D. GONZALES. Sa commander po ng ano, ng Philippine Army or...

THE CHAIRPERSON. Colonel Panopio or...

REP. A. D. GONZALES. Sige po.

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THE CHAIRPERSON. Colonel Panopio.

MR. PANOPIO. May I again ask the question, Your Honor?

REP. A. D. GONZALES. Well, iyong ano po, iyong programa po ng... ng... ng Philippine Army at saka noong DEPED, mayroon po kayong MOA na na-sign?

Ang alam ko po, si Mister... Attorney Poa signed a response to the AOM po, totoo ba ho ito, Mr. Poa?

MR. POA. Yes po, na ako po iyong nag-sign ng response with the AOM po.

REP. A. D. GONZALES. That's why kailangan pong you know ang sagot regarding these certifications, Mr. Poa.

MR. POA. Opo. Iyong certifications naman po, Sir... If, Mr. Chair...

THE CHAIRPERSON. Yes, please proceed.

MR. POA. The reason why, at that time, I thought that it was... at least, iyan kasi ang natanggap ko, and I thought appropriate na rin ito i-submit, is because based on the wording of the certifications. Nakasulat naman po doon that these YLS seminars were conducted in coordination and from information gathered from DEPED amongst one of the agencies. So, since iyon po iyong certification at iyong wording, I... at least, at that time, I thought it was appropriate na po. Now, whether or not it is appropriate for COA or for this Committee, at that time po, I just submitted what was available.

REP. A. D. GONZALES. Okay. Thank you.

So, iyon po, sa Commander, if the program lasted until the end of fourth quarter?

MR. PANOPIO. Yes, Your Honor, we have the last report dated 30 December 2023, Your Honor.

REP. A. D. GONZALES. So, meaning today... meaning to say, may disconnection na iyong paggastos ng Confidential Fund ng DEPED up to the fourth quarter, tama ho ba...

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REP. A. D. GONZALES. (Continuing)...tama ho ba?

MR. PANOPIO. I am not aware of that Confidential Fund, Your Honor.

REP. A. D. GONZALES. But, from day one po, wala kayong ginastos?

MR. PANOPIO. Yes, Your Honor. We spent our own resources from Philippine Army and respective participants from the PNP, LGUs and other stakeholders, Sir.

REP. A. D. GONZALES. Is this the infantry division commanders po, ito po iyong sinasabi niyo?

MR. PANOPIO. Yes, Your Honor.

REP. A. D. GONZALES. And this is the YLS, also the Youth Leadership Summit?

MR. PANOPIO. Yes, Youth Leadership Summit is a multi-stakeholder engagements under the AO 70, Sir.

REP. A. D. GONZALES. Okay.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Ang tanong po kanina ni Senior Deputy Speaker kung mayroon daw po bang MOA, Memorandum of Agreement, between DEPED and the Philippine Army with respect to this program? Iyon po iyong tinatanong kanina ni Senior Deputy Speaker, MOA.

MR. POA. None that I'm aware of...

THE CHAIRPERSON. Wala po kayong...

MR. POA. Wala kaming MOA

THE CHAIRPERSON. Okay.

MR. POA. Wala po akong...

THE CHAIRPERSON. So, kayo po aware... mayroon po ba kayong ano...

MR. PANOPIO. None that we are aware, Your Honor.

THE CHAIRPERSON. So, okay.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Yes...

REP. ABANTE. I just want a clarificatory here.

THE CHAIRPERSON. ...Congressman Abante.

REP. ABANTE. Usec Mempin,

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. ABANTE. How are you appointed as Undersecretary when you are in the Armed Forces?

MR. MEMPIN. I was already retired by January...

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REP. ABANTE. Yes, you have... you are retired already, but why were you appointed?

MR. MEMPIN. I was...

REP. ABANTE. In the Armed Forces, why you were appointed? Your... Are you an expert in education when you were in the Armed Forces?

MR. MEMPIN. No, Sir.

REP. ABANTE. O, why were you appointed?

MR. MEMPIN. I was recruited by the former Secretary and Vice President, and I don't... I'm not aware of the reason why I was recruited, except maybe for the trust and confidence Your Honor, Mr. Chair.

REP. ABANTE. Okay. Would... Would you think that because the Secretary has a Confidential Fund, that it should be used with the agreement of the members of the Armed Forces? Ang pinag-uusapan kanina iyong MOA, ano. Hindi ba dapat iyong MOA iyan ng agency? For example, dapat, kung mag mo-MOA ang Department of Education, dapat ang MOA niyan would be between the DEPED and DND, am I right?

MR. MEMPIN.That's correct, Your Honor, Mister....

REP. ABANTE. Mayroon ba?

MR. MEMPIN. None... None that I am aware of, Your Honor, Mr. Chair.

REP. ABANTE. So, ibig sabihin, hindi niyo ginawa ang dapat niyong gawin?

MR. MEMPIN. Your Honor, I was not... I am... I was not the one in charge of...

REP. ABANTE. No, no...

MR. MEMPIN. ...YLS...

REP. ABANTE. ...I am not referring if you are in charge. What I'm saying is this, that is between departments in the Executive Branch of government.The MOA should have been between the DEPED and DND. The question is, why was not it done?

MR. MEMPIN. As men... Your Honor, Mr. Chair, as mentioned by Usec Poa, our Operation Strand is on the one... on the process of the engagement with Department of National Defense with regard to YLS, but I think it's not yet been consummated or...

REP. ABANTE. Yes, but there should be a MOA, am I right?

MR. MEMPIN. That's correct, Your Honor.

REP. ABANTE. And that was not done, am I right?

MR. MEMPIN. Yes, Your Honor.

REP. ABANTE. Therefore, it is improper, am I right? It is improper, am I right?

MR. MEMPIN. Yes, Your Honor.

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REP. ABANTE. Okay. Thank you, Mr. Chair.

REP. A. D. GONZALES. Mr. Chair.

THE CHAIRPERSON. Yes, SDS Dong Gonzales.

REP. A. D. GONZALES. Well, yes, Sir. Mr. Chairman, the point... the point is useless because gumastos ang DEPED even from the first and... to third quarter but no impact on the YLS, other military operation. Iyon po iyong point ko. Parang useless ang ginawa ng DEPED, na hindi naman nag serve iyong purpose ng YLS Division, tama ho ba? Mr. Chair, gumastos ang DEPED na walang kasaysayan sa paggastos nila sa CF from first, second, and third quarter?

THE CHAIRPERSON. Actually, lumalabas wala pong nilabas, wala pong ginastos dahil, as we speak, lahat po ng mga ahensiya—iyong sa Army, wala po silang natanggap and they spent their own money.

REP. A. D. GONZALES. So, meaning to say, justified pala not giving DEPED Confidential Funds in 2024; the same goes for 2025 din, hindi ba, Mr. Chairman?

THE CHAIRPERSON. Tama po kayo.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

THE CHAIRPERSON. Yes. The Chair would like to recognize the next interpellator, the Honorable Congressman Rolando Valeriano.

REP. VALERIANO. Thank you, Mr. Chair.

Iyong tanong ko po ,kung puwede kay Attorney Resty Osias. Tama po ba, Osias?

MR. RESTY C. OSIAS (Career Executive Service Officer IV, Director IV, Bureau of Human Resource and Organizational Development, Department of Education). Yes, Sir. Good afternoon po, Your Honor...

THE CHAIRPERSON. Attorney Osias, you are recognized.

MR. OSIAS. ...Mr. Chair.

REP. VALERIANO. Thank you po.

This is in regards to Usec Gloria Mercado, regarding po doon sa statement niya last hearing. According to her, nag lunch kayo sometime in October 2023 sa Linden Suites. Do you confirm that?

MR. OSIAS. Good afternoon, again, Mr. Chair. Yes, Sir, I confirm that. It was... there was an activity. I think it is a training on procurement, and I'm just not quite sure about the date, but there was such an activity...

REP. VALERIANO. October.

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MR. OSIAS. October, Sir, October, yes.

REP. VALERIANO. Apat yata kayo. The two is in... DEPED consultant, tama po?

MR. OSIAS. Initially, Sir, we were not just four.We were a group, including our staff, and then... but we were in one long table. And yes, with two others, me, Usec Glo and some other staff, Sir.

REP. VALERIANO. And during that meeting, according to Usec Gloria Mercado noong last hearing po, nilapitan daw siya ni ASec Munsayac at nagsabing mag-usap-usap na lang kayo tungkol sa bidding para sa DEPED computerization program for 2022. According to her, that statement was made to her in your presence, totoo po ba ito?

MR. OSIAS. I recall in that meeting that then ASec Reynold Munsayac...

THE CHAIRPERSON. Please answer...

MR. OSIAS. I'm sorry, I'm sorry.

REP. VALERIANO. Totoo po ba...

THE CHAIRPERSON. ...Please be responsive to the question.

MR. OSIAS. Yes, Sir. Yes, Sir. Yes, Sir.

REP. VALERIANO. So, totoo po? Sa pagkakaala-ala niyo po, ano ang sinabi talaga, iyong talagang salita ni ASec Munsayac, ano po ang naintindihan niyo roon?

MR. OSIAS. ASec... We were discussing, I think it was about the utilization of the... the funds for the procurement, Sir. And it was a discussion like there was something like there is a need to be able to utilize the funds immediately and there was some kind of a remark that, you know, something like maybe puwede naman... na lang pag-usapan ng...kung papaano maayos, basta importante ma-utilize iyong fund because the fund for the procurement was about to lapse on the...in December of 2023. I understand this fund was 2022, Sir.

By the way, Sir, just for purposes of background, 'no, I was quite new in the Department. I just joined the Department sometime in January of this year.

REP. VALERIANO. So, bago lang po kayo noon.

MR. OSIAS. Yes, Sir.

REP. VALERIANO. At that time, you were already familiar with Mr. Munsayac? Kilala niyo na po siya as Assistant Secretary?

MR. OSIAS. He... If I recall it right, I was former HR Director, Sir.

REP. VALERIANO. Yeah.

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MR. OSIAS. So, if I recall it right, ASec Munsayac was... the appointment of ASec Munsayac was, I think, October 1st of 2023. So, I... he was... he was presented as one of the new officers of the DEPED, I think in that flag ceremony of that week. So that was the first time I saw him. And I think the very first interaction na with him was on that lunch, Sir.

REP. VALERIANO. So, noong... noong narinig niyo po iyong statement niya, ni ASec Munsayac, what is your reaction?

MR. OSIAS. Well, I was a bit surprised but, at the same time, I was also amused, Sir, because as a lawyer, if... if... I thought it was just a joke, 'no, the...the offhand remark on... something like talking about it. I... I thought it was some kind of a joke. It was just noth... I didn't really mind it that much.

REP. VALERIANO. Thank you. Thank you.

MR. OSIAS. Yes, Sir.

REP. VALERIANO. So, Mr. Chair, mukhang totoo nga na may naging pahayag si Mr. Munsayac kung saan sinabi niya kay Usec Gloria na, noong panahon na iyon, as head of procuring entity...

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REP. VALERIANO. (Continuing)…procuring entity na siyang nagre-review ng dokumento ng mga bidders, pinagsabihan niya nga na ituloy na lang. At kung saan hindi tinanggap ni Usec Gloria iyong mungkahi na iyon at dapat masunod iyong tamang proseso. Nakakapagtaka lang, Mr. Chair, na si ASec ay head ng procurement at malapit na kaibigan ni VP Duterte, na siya pang nagpahayag o nagpahiwatig sa isang head ng procuring entity at pati na rin sa harap… sa harap ng isang BAC Chairperson.

Mr. Osias, noong huling hearing sinabi din po ni Usec Mercado na kayo'y isang Director sa DEPED, totoo po ba ito?

MR. OSIAS. Yes, Sir. I am… I was the former… At that time, I was the direct report of Usec Glo. I was under her Strand as the Director of HR.

REP. VALERIANO. Kailan po kayo na-appoint?

MR. OSIAS. I was appointed January 7th… 12th, I think. and then… but I reported January 17 of 2023, Your Honor.

REP. VALERIANO. 2023?

MR. OSIAS. Yes, Sir.

REP. VALERIANO. Yeah. Ano po iyong position niyo talaga?

MR. OSIAS. Director IV ho.

REP. VALERIANO. Hanggang ilang director ho ba ito, Director VI, VII?

MR. OSIAS. Ah, hindi ho. Ang…

REP. VALERIANO. The highest…

MR. OSIAS. …Ang pinaka-highest po na director is Director IV ho sa DEPED.

REP. VALERIANO. Director IV?

MR. OSIAS. Yes, Sir.

REP. VALERIANO. Ano po iyong responsibility ng Director IV?

MR. OSIAS. Depende ho sa assignment, Mr. Chair, Your Honor.

REP. VALERIANO. Kayo po? Kayo po, Mr. Osias, ano pong…

MR. OSIAS. Yes, Sir. I was... my responsibility is primarily on HR, Human Resource and Organizational Development. So, kami po iyong in charge noong mga programs natin with respect to teachers, and then the non-teaching personnel, and then iyong… kami rin po ang in charge doon sa organizational effectiveness and the benefits that we can probably give our teachers so… through our offices.

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REP. VALERIANO. Aside from that position, mayroon pa ho ba kayong ibang hinawakan sa DEPED?

MR. OSIAS. Well, sometime in November… sometime November of 2023, Sir, I was designated as the Chair of the BAC VI, 'no. BAC VI is the Early Procurement Activity designated BAC.

REP. VALERIANO. BAC?

MR. OSIAS. Yes, Sir, Bids and Awards Committee.

REP. VALERIANO. Sige. Na-mention niyo po na BAC member noong panahon na iyon. Sino po ang BAC Chair at that time?

MR. OSIAS. Sir, sa… noong November, BAC Chair ho ako. Naging BAC Chair ho ako ng BAC VI.

REP. VALERIANO. Naging BAC Chair kayo?

MR. OSIAS. Ng BAC VI ho. Iyong BAC VI. But… Iyon ho.

REP. VALERIANO. Sige po. Hindi ba po pagka ganyang malaking government agency, especially iyong DEPED, sometimes maraming mga BACs assigned for the procurement of particular category. In the BAC that you specifically belong, ano pong mga bagay iyong procurement ang kailangang dumaan sa inyo partikular?

MR. OSIAS. Yes, Sir. As far as I recall, ang dumaan sa akin ho ay laptops.

REP. VALERIANO. Laptop?

MR. OSIAS. Yes, Sir, laptops for teaching, non-teaching, and iyong DCP project ho.

REP. VALERIANO. So, kabilang po dito iyong procurement relating to DEPED Computerization Program, tama po?

MR. OSIAS. Yes, sir. Yes, sir. Yes, Sir. 2024 ang original ko ho.

REP. VALERIANO. Noong BAC member kayo, naging parte po ba kayo ng October and December 2023 bids for the DCP?

MR. OSIAS. Ah, yes, Sir. I was also… Before the 2024… Before the November designation as BAC Chair, I was also part of the DCP 2022 which was bidded in 2023. Yes, Sir.

REP. VALERIANO. Na-mention niyo rin po na naging BAC Chairperson kayo. Kailan kayo naging Chairperson po ng BAC?

MR. OSIAS. I think, if I'm not mistaken, around November na po ng 2023.

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REP. VALERIANO. November ng 2023?

MR. OSIAS. Or is it December? Something November or December, Sir, kasi my memory is not really at this point in time...

REP. VALERIANO. Nare-recall niyo pa po iyong mga project na dumaan sa inyo as BAC Chair?

MR. OSIAS. Yes, Sir. The DC... Originally, I was... since I was handling the BAC VI, it is supposed to be the Early Procurement Activity BAC, 'no, the BAC in charge for Early Procurement Activity. So, kasama ho diyan... Iyong nare-recall ko ho is the DCP project for 2024 ho sana, for 2024 DCP project, and laptop for teachers, laptop for non-teaching personnel. Ganoon ho iyong aking nare-recall na...na... at that time, Sir.

REP. VALERIANO. So, up to now po, are you still working with DEPED bilang Director at BAC Chair?

MR. OSIAS. Not anymore as BAC Chair, Sir, but I am still working with DEPED. Yes. But I am no longer connected with the HR. I have been reassigned under the new administration. I have been reassigned to the Office of the Undersecretary for Procurement.

REP. VALERIANO. So, puwede kong sabihin ranking official pa rin kayo ng DEPED?

MR. OSIAS. In terms of the fact that I am an appointed director, Sir, yes.

REP. VALERIANO. Yeah. And you play an important role kasi kayo ay parte ng BAC before, 'di po ba, that oversees iyong DCP, iyong computerization, a flagship program of the DEPED, is that correct?

MR. OSIAS. Yes, sir. As far as I am concerned at that time, yes, sir.

REP. VALERIANO. Tanong lang po, would you also receive envelopes from Ms. Shine Fajarda, parang ikinuwento ni Usec Mercado, envelope containing cash?

MR. OSIAS. All right. Your Honor, Mr. Chair, 'no, I muar... I must be candid about this, I... I must say I did but I didn't know... because I was new in the Department, I thought it was a practice of the Department. I thought, you know, I... The very first time I encountered that matter, Sir, was sometime in April of... of 2023. I didn't know why we were... I was summoned to... to the office of the... of ASec Shine and then I was given an envelope. And it was later on I found out that there

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was money in it. But it was not because I was a BAC member or whatever yet because I was not at that time.

REP. VALERIANO. At that... Last hearing, sabi ni Usec Mercado, kung natatandaan ko, nine envelopes iyong natanggap niya amounting to 50,000 each. Sa inyo pong pagkakaalala, hanggang kailan kayo nakatanggap ng envelope? Ilan?

MR. OSIAS. It started April. I think it was until September of that year.

REP. VALERIANO. Up to September 2023?

MR. OSIAS. Yes, Sir. But I... if I recall it right, I was only summoned about four times to the office.

REP. VALERIANO. Four times?

MR. OSIAS. Yes. I...

REP. VALERIANO. Up to September 2023?

MR. OSIAS. Yes, Sir.

REP. VALERIANO. So, iyong last quarter po, wala na kayong natanggap?

MR. OSIAS. Wala na po. Wala na.

REP. VALERIANO. So, in other words, wala na kayong envelope na natanggap noong fourth quarter ng 2023, tama po?

MR. OSIAS. Yes, Sir.

REP. VALERIANO. Mukhang sumakto, ah, sa panahon na hindi na ginamit ng DEPED iyong Confidential Fund for the last quarter noong pumuputok na ang issue ng Confidential Fund.

Anyway, Mr. Osias, I think this was also mentioned by the VP in a press conference na... Magkano po pala iyong laman pintata... Magkano pong laman ng envelope?

MR. OSIAS. I think it was something like bet... between 12 to 15, Sir. Hind... Hindi ko na ho matandaan iyong laman talaga...

REP. VALERIANO. Twelve to 15,000?

MR. OSIAS. ...But very minimal amount. Yes, Sir.

REP. VALERIANO. Okay. Mr. Osias, last week din po, after noong nandito si Usec Mercado, mayroon din pong press conference si Vice President. According to the Vice President, nag-solicit daw po si Usec Gloria from private companies using the name of the VP which is supposedly the reason why she was let go, kaya siya

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tinanggal. So, based po sa dokumento na inilabas, ito ay patungkol sa programang DEPED Guro. Are you familiar with that project?

MR. OSIAS. Yes, Sir, I am familiar with the DEPED Guro Project because I am supposed to be the project owner of that program, Sir.

REP. VALERIANO. Okay. Mr. Chair, can you explain to us briefly what this project is about?

MR. OSIAS. Early on, when I joined the Department about... maybe a few weeks after I joined the Department and as normally done by former Usec Glo, 'no, she would... she would come up with a list of things for us to do. And I recall that there were tasks given to us. I think it was after she went on a... on a birthday trip.

REP. VALERIANO. By who?

MR. OSIAS. There were about... I'm sorry, Sir. There were about 40 tasks that... that has to be accomplished by our Strand, the HR and OD Strand, including the other... other components of that Strand, Sir. So, the HR Strand or the HROD Strand, and NEAP, and TECS. We had about 40 tasks. Out of the 40, there were about 27 that pertains to my... to my bureau, so for HR and OD. And I recall...

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MR. OSIAS. (Continuing)...I recall that one of the priorities of... that we were informed, 'no, by Usec...by Usec Glo, one of the priorities that we need to deliver as a Strand is some kind of a chatbot wherein the Secretary can connect directly with our teachers. Meaning, the... the idea was for her to be... to be able to... for the teachers to be able to connect with her directly so that she can immediately respond to these...

REP. VALERIANO. With...

MR. OSIAS. ...concerns.

REP. VALERIANO. ...With the Secretary?

MR. OSIAS. Yes, yes, Sir. And there were three assigned to me, and the other two were a PDIS, we call it a PDIS, an information system on all the employees of the Department, and the other one was a hiring process which will minimize the engagement of the human intervention, 'no. So, the computations were all done by the system, something like that. So, there were three. So, DEPED Guro was more on the aspect of that... that parang immediately makakausap ni VP iyong... iyong mga teacher so they can immediately raise to her their concern. Kasi, the... the thing there, Sir, is if you use the... the idea there is, if you use the current social media processes like Messenger, *et cetera,* 'no, there are about... at that time, there were about 888 thousand plus teachers. So, just imagine, if a teacher comes up with a... with a concern and they were so many of them, matatabunan lang ho iyong kanyang concern and there is no possibility for, for example, the VP to be able to answer the... the concern. So, there has to be some kind of a different approach to it. Some kind of a tech... technological approach wherein it will ensure that the VP is able to answer all these concerns because there are really many of our teachers.

REP. VALERIANO. Thank you.

MR. OSIAS. So, the DEPED Guro, Sir is for that purpose.

REP. VALERIANO. Sige po.

According to Usec Mercado din po at that time, nangailangan din kayo ng external partners para sa project na ito, tama po?

MR. OSIAS. Yes. Actually, as far as I recall, there was an activity wherein our... our Strands were asked what are your projects, what are your concerns, and we were supposed to... There is an office in DEPED that is... that is supposed to be in charge of coordinating as our prod... the Strands or whatever the... the concerns of the Strands with an external partner. And they are the ones who actually are supposed to help us.

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REP. VALERIANO. So, mayroong office na in charge para sa pagpili ng external partners, tama po?

MR. OSIAS. Yes, Sir.

REP. VALERIANO. So, sinasabi niyo ba walang direktang pagpili sa mga external partner? I mean you and Usec Mercado, hindi kayo namili ng external partners, tama ba?

MR. OSIAS. Yes, Sir. We… I, for one, I'm not involved in the… in the process. I… I just sit there when we… they… we make a presentation on what is that Guro all about…

REP. VALERIANO. So, with…

MR. OSIAS. …I am just part of the people who sit there.

REP. VALERIANO. Yeah. So, with that, Mr. Chair, sino ang pumipili o nag-e-entertain ng mga external partners para sa mga ganyang partners, especially iyang DEPED Guro?

MR. OSIAS. There is an office. I think it's the External Partnership Services…

REP. VALERIANO. External Partnership…

MR. OSIAS. Partnership Service or Services.

REP. VALERIANO. Services?

MR. OSIAS. I think that's… that's the office, or is it the ICO? It is either of the two, Sir.

REP. VALERIANO. So, parang isang department sa DEPED iyon?

MR. OSIAS. Yes, Sir. Yes, Sir.

REP. VALERIANO. And it is not under Usec Mercado?

MR. OSIAS. No, no, it's a different, Sir.

REP. VALERIANO. So, malayo?

Sa pagkakaalam po ninyo, ano iyong mga kailangang programang ito mula sa external partners? Ba… Why do you need that, external partners? Ano iyong kailangan niyo sa kanila?

MR. OSIAS. Well, from what I understood at that time, the… the need for the… for the technological thing that the… the VP wanted to have, we cannot do it on our own because there is—I don't know—there is no budget for it. So, we need… we need external partners to help us make it… turn it into fruition or to make it… to accomplish that program, Sir. So, I think that is the… that is the answer to that.

REP. VALERIANO. When you say "external partner", kailangan niyo hindi pera ang sinolisit *(solicit)* niyo roon sa external partner or pera iyon?

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MR. OSIAS. If I will relate it to the DEPED Guro, it was not money that we wanted to…

REP. VALERIANO. Hindi pera?

MR. OSIAS. Yes, Sir. It was like… because the DEPED Guro is a… has a… has components, 'no. It's… It's like technology and other matters, 'no, hardware, software. So…

REP. VALERIANO. So, gamit, Mr. Chair?

MR. OSIAS. Gamit, Sir. I think that is the word. Mga components. Not…

REP. VALERIANO. So, kung…

MR. OSIAS. …not really money, Sir.

REP. VALERIANO. …Mr. Chair, kung may alam po kayo, anong gamit iyon kung alam niyo ho?

MR. OSIAS. Ah, okay. So, if I recall the… this right, 'no, I'm… the DEPED Guro will involve, for example, Sir, some kind of… iyong ano ho doon sa, for example, sa truck, mayroon ho sa likod na parang lalagyan ho, parang malaking…

REP. VALERIANO. Ano ang tawag doon?

MR. ORIAS. …tapos may wheels.

REP. VALERIANO. Ano ang tawag doon?

MR. ORIAS. Parang… Ano ba ang tawag dito? Iyong parang… Iyong sa likod ho ng truck, 'di ba, for example, mga…

REP. VALERIANO. Yeah.

MR. ORIAS. …iyong mga trucks ng mga refrigera… refrigeratored… refrigerated trucks, 'di ba, iyong likod ho parang may mga closed na portion, Sir, sa may gulong?

REP. VALERIANO. Yeah.

MR. ORIAS. For example, iyan ho is… is one kasi the desire… the design is nandoon sa loob noon iyong mga gadgets na ilalagay because the intention was to have three of these kinds of equipment in Luzon, Visayas and Mindanao. So, ide-deploy ho siya para kung mayroong conflagration, kung mayroong nangyaring masama, hindi ho… una, makakausap pa rin ni VP iyong mga students or concerns or whatever. And then independently powered ho siya, component ho siya talaga na buo. So, mayroon siyang… mayroon siyang laptops, mayroon siyang solar panel. Marami ho siyang component, Sir, para ma-ensure lang na kahit walang kuryente doon sa lugar, tuloy-tuloy pa rin… tuloy-tuloy pa rin ang magiging communication ng… ng VP. Ganoon ho ang pagkaintindi ko doon sa Guro.

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REP. VALERIANO. So, Mr. Chair, with that, iyong equipment na iyon, kanino po mapunpunta iyon or saan napunta iyon?

MR. ORIAS. Hindi ho natuloy iyong project.

REP. VALERIANO. So, hindi natuloy?

MR. ORIAS. Hindi natuloy ho.

REP. VALERIANO. So, walang nakuha na personal na pera o gamit, equipment si Usec Mercado sa paghahanap niya ng external partner para sa DEPED Guro Program? Negative?

M. ORIAS. I can only speak up to the extent that I interact with Usec Glo. Like, for example, in the office. If... If that is the basis of that, the premise, 'no, Your... I don't think there was any kasi wala naman ho, hindi naman ho natuloy iyong project.

REP. VALERIANO. Sige.

Sa pagkakaalam niyo po, Mr. Chair, palagay niyo ba importante itong projet na ito, na magkaroon ng direktang komunikasyon *(communication)* iyong halos 900 thousand... almost 1 million na teacher at si VP sa ilalim ng Guro Program?

MR. ORIAS. I can only speak, Sir, from... from experience, 'no.I am a survivor of the Yolanda tragedy. It almost killed me and my family. As far as I am concerned, there is really a need to have things like this during a conflagration, especially for purposes of our kids, 'no, continuing with their education despite everything that happens, 'no. So, to my mind, it is something that we really need to have. But, of course, the... the program did not push through. So, it's something I...

REP. VALERIANO. So, in short, ito'y naging priority project ni VP Duterte, sana?

MR. ORIAS. Sir, that was the information I got or we got from... from the Usec, kasi siya naman ho ang nakakausap sa ExeCom. Hindi naman ho ako involved. Kung ano lang ho iyong ibinababa sa amin, iyon lang ho iyong aming extent ng knowledge kung ano ang mga kailangan ho talaga .

REP. VALERIANO. Ano ba ang difference ng priority project kumpara doon sa regular project niyo sa DEPED?

MR. ORIAS. That way I understood it, Sir, is that, ang priority projects, these are immediate ang need, 'no. While the other projects, these are projects... many of the other projects have been there for the longest time pero hindi ho gumagalaw. That's why, as I was saying earlier, there were about 40 that the Strand—HROD, and NEAP, and the TECS—had to do, 'no. These were the 40 identified projects that we

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need to do. But out of the 40, 27 are for the BHROD, and out of the 27, there were about 3 that were priority projects…

(MS. JOAN E. GRUTA TOOK OVER)

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MR. OSIAS. (Continuing)...priority projects of the... of the VP, including iyong chatbot nga ho or itong naging Guro ang aming pinag-usapan.

REP. VALERIANO. Thank you po.

So, in short, talagang alam niya ito at priority project ito ni Vice President Sara Duterte, tama po ba?

MR. OSIAS. Well, I am not quite sure if the VP directly know about the project. But we present this project every time... every time there is a Strand or ExeCom... or ExeCom meeting, Sir, I think that is when it is presented. But ExeCom, hindi na ho kasi ako kasali doon.

REP. VALERIANO. So, she is aware. So, in short, Mr. Chairman, ang DEPED Guro Program, sa katotohanan, ay isang legitimate project ng DEPED na isang priority project rin ni VP Duterte kung saan ang mga external partners ay hindi pinili ni Usec Mercado kundi ng ibang opisina sa ilalim noong DEPED. Dagdag pa rito, walang pondo o kagamitan na personal na makukuha si Usec Mercado sa programang ito.

Nakakabahala lang, Mr. Chair, na isang directive ng pinuno ay siya ring gagawing rason na paikut-ikutin upang sapilitang magtanggal ng isang career... career government official tulad ni Usec Gloria Mercado.

That's all, Mr. Chair. Thank you.

THE CHAIRPERSON. Thank you.

REP. ABANTE. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Abante, you are recognized.

REP. ABANTE. Attorney Osias admitted that he has received envelopes. I am not saying it's wrong, 'no. It can be an appreciation thing or a love gift, whatever it might be. I don't think it's wrong, ha. Pero, if that is actually the... the habit of the Secretary, to give envelopes to his... to her people, I wonder if only Usec Mercado or you received envelope. Perhaps, Usec. Mempin should also say something about that, or anybody here among the DEPED family. Because, as I have said, 'no, when you receive an envelope, there was no thinking that there is anything... anything wrong with that. Wala kaming naiisip na masama iyan, 'no. Just, you know, you are under oath, just tell us about it, and thank you for telling us that.

Yes.

MR. OSIAS. Sir, again, I must say that when I... I was called and, you know, received an envelope, I... initially, I thought that it is how it is in DEPED because I did not come from DEPED. So, To be honest, I was... I was grateful because it... it helps

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a lot, 'no. We...We are from the... I am from the province, so parang nakakatulong din po.

REP. ABANTE. Where were you before, Attorney Osias? Before you went to DEPED, where were you before?

MR. OSIAS. I spent, more or less, 25 years in another agency, Sir.

REP. ABANTE. In the private....

MR. OSIAS. No, no, no. Government also, Sir.

REP. ABANTE. Government din.

MR. OSIAS. Yes, Sir.

REP. ABANTE. Okay.

MR. OSIAS. I just came across the DEPED—ano iyon?—iyong posting.

REP. ABANTE. So, you... you were thinking that, you know, receiving an envelope is just something that... that happens in the DEPED once in a while or... And you're grateful. I really appreciate that, 'no. As I have said, we are not thinking of anything wrong in receiving those envelopes. I am just... We are just wondering how many of the DEPED family received envelopes, too. We are just wondering. If Attorney Osias was able to say and... and... and tell us the truth about that, and, perhaps, Usec Mercado...

Usec. Mempin, can you say something about that?

MR. MEMPIN. Yes, Your Honor, Mr. Chair. For me, Sir, I have not received any envelope coming from AS... ASec Sunshine.

REP. ABANTE. O, you have not received any envelope?

MR. MEMPIN. Yes, Your Honor, not for me, Sir.

REP. ABANTE. So, ibig sabihin, only some special people received envelopes like that, and you are not too special. Is that what you are trying to say?

MR. MEMPIN. I am not aware of it, Sir.

REP. ABANTE. Can you say something about that? You are the Spokesperson.

MR. POA. Yes, Sir. When I was HOPE, Sir, I became HOPE, 'no, I... I can categorically say I was not able to receive a single envelope at all. But I do remember sometime December 2022 or early December, I did receive an envelope, just minimal amount. And at times, pag nagsasabi... may mga times kasi, Sir, na, candidly, medyo napagalitan ako because nag-aabono daw ako. Because when people come to me as a Spokesperson, sometimes they tell problems. I would give... At the end of the day, ang kailangan lang pala nila 3,000, 5,000, so, nagbibigay ako personally. So, there

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were instances, occasional, although not regularly, not like monthly at all, that I would... I would receive, but not from ASec Shine. I would... When... When I would tell the VP, like noong Christmas, the VP gave it to me herself, opo.

REP. ABANTE. Well, there are times...

MR. POA. But, yes, I did receive occasionally.

REP. ABANTE. ...there are times, you know, you...

MR. POA. Yes.

REP. ABANTE. ...when you appreciate the staff...

MR. POA. Yes.

REP. ABANTE. ...ako rin, ganoon, eh.

MR. POA. Oo.

REP. ABANTE. When I appreciate my staff, I would sometimes give envelopes.

MR. POA. Yes, Sir. Occasionally, yes...

REP. ABANTE. Kahit na maliit ang amount.

MR. POA. Opo.

REP. ABANTE. The thing is this, Attorney Munsayac, you... you promised that you are going to submit a... I think a rebuttal to...

MR. MUNSAYAC. Yes, Your Honor. In fact, I only learned...I only learned today that I was being directed to submit the documents, and I will comply, Your Honor. Before the next hearing date, I will submit the documents requested of me, Your Honor.

REP. ABANTE. Before the?

MR. MUNSAYAC. Before the next hearing date, Your Honor. I'm just gonna compile it and submit it to the Committee, Your Honor.

REP. ABANTE. Okay. How many days would it take?

MR. MUNSAYAC. Maybe three, Your Honor. Maybe three.

REP. ABANTE. Three days. Okay. We will expect that...

MR. MUNSAYAC. Yes, Your Honor.

REP. ABANTE. ...by the Committee.

Mr. Chair, can I just make a manifestation?

THE CHAIRPERSON. Yes. Please continue, Congressman Abante.

REP. ABANTE. I have a very high regard on the Armed Forces, very high. You are professional soldiers. Usec. Mempin, correct? Mayor General Bajao, Colonel Boransing, all of you, very high regard ako sa Armed Forces of the Philippines, okay?

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Like my good friend here, Congressman Acop, who used to be a general, masyado ang respect ko sa inyo. I hope that you are going to remain above politics. Because, listen, your only accountability is to the Commander-in-Chief, no one else—not the mayor—not anyone else, but to Commander-in-Chief, and that's the President of the Republic. Of course, that includes the Secretary of the Department of National Defense.

So, please, I am asking you, sana ma-maintain ninyo iyong high regard ko at high regard ng maraming tao sa inyo. Please be above politics.

Iyon lang po ang manifestation ko.

THE CHAIRPERSON. Yes, Congress... Senior Deputy Speaker Dong Gonzales.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

Mayroon lang akong gustong i-clarify. Iyong Youth Leadership Summit, that's under DEPED po? That's under college students, 'di ho ba?

MR. POA. Hindi po siya under DEPED, as far as I know, Sir.

REP. A. D. GONZALES. Yeah. Bakit narinig ko na YLS, the Youth Leadership Summit, palaging may gastos, and that's under the... our... our college students, 'di ho ba?

MR. POA. Opo. Hindi ako iyong makasagot.

THE CHAIRPERSON. Attorney... Sino po ang sasagot?

REP. A. D. GONZALES. Kasi kanina pa natin pinag-uusapan...

MR. POA. Maybe Major General...

THE CHAIRPERSON. Major General...

MR. BAJAO. Bajao, Sir.

THE CHAIRPERSON. ...Bajao.

MR. BAJAO. Thank you, Mr. Chair, Your Honor.

Well, kadalasan po, Your Honor, ang mga partisipanteng ito ay mga youth, high school students, and college students po, kasama na rin po ang mga out-of-school youths, and even iyong mga IP youths natin. In the case of Mindanao, kasama dito iyong mga Muslim youth po, Your Honor.

REP. A. D. GONZALES. So, meaning, halo-halo po sila, not only college students?

MR. BAJAO. Yes, Your Honor. Across all sectors, lalo na iyong mga kabataan po, Your Honor, na walang access po talaga sa education. Ito po iyong mga inuuna natin sa ganitong klaseng mga summits.

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REP. A. D. GONZALES. Salamat po, Mr. Chairman.

THE CHAIRPERSON. Thank you.

We will now proceed to our last interpellator, the Honorable France Castro.

You are recognized.

REP. FRANCE L. CASTRO. Maaga pa, Mr. Chair. *(Laughter)* Hindi ako sanay na… maaga pa tayo la… uuwi.

REP. ABANTE. Mr. Chair, huwag mo namang gawing QuadCom ito, please. *(Laughter)*

THE CHAIRPERSON. Unless, of course, may mga gusto pang mga follow-up questions.

REP. F. L. CASTRO. Okay. So, seryoso kasi. Pero seryoso po, seryoso po ako…

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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REP. F. L. CASTRO. (Continuing)...seryoso po ako, Mr. Chair.

So, napansin ko lang, Mr. Chair, doon sa paggamit ng Confidential Funds in three... three quarters, parang pare-parehas ang amount, 37,000... ah, 37.5 million, 'no. So, talagang hinati, 'no, inatado ng ano. In the first quarter, iyong 37.5 ginamit ng 39 days; on the second quarter, 69 days; on the third quarter, 68 days. So, dahil pareho iyon, ano po ba ang kaibahan, ito iyong DEPED?

Ay, by the way, Mr. Chair, pinatawag na po natin itong Edward Fajarda? Nag-motion na po ba tayo para ipatawag?

THE CHAIRPERSON. Mayroon po tayong in-issue kanina na *subpoena ad testificandum*.

REP. F. L. CASTRO. Okay, okay. Kasi siya iyong nag-ano, eh, naglabas noong pera at nag...

By the way, sino po iyong nag-prepare ng accomplishment report sa DEPED, Mr. Chair?

THE CHAIRPERSON. Attorney Poa.

MR. POA. Mr. Chair, I would assume it would also be the SDO at that point, Hindi po...

REP. F. L. CASTRO. SDO Fajardo?

MR. POA. Opo.

REP. F. L. CASTRO. ...Fajarda?

MR. POA. Kung sino po iyong nakapirma. Hindi po ako familiar kasi doon sa accomplishment report, but I think it's prepared by the SDO as per the rules po.

REP. F. L. CASTRO. Okay. So, siya iyong nag... naglabas ng pera, siya din ang nag-report nito?

MR. POA. I think iyon po iyong requirement, Your Honor. I don't have a copy, but I can look for a copy of the accomplishment report.

REP. F. L. CASTRO. Hindi, iyon na nga. Iyong accomplishment report... Ito na lang, kung walang copy ang DEPED, so, ang tanong ko lang po, ito ba tatanungin ko ba kay Fajarda bakit 39 days with the same amount, iyong other quarter 37 million din, 37.5 in 69 and 68 days? Can you answer that?

MR. POA. Mr. Chair.

THE CHAIRPERSON. Please continue.

MR. POA. Mr. Chair, Your Honor...

REP. F. L. CASTRO. Attorney Poa.

THE CHAIRPERSON. Please answer.

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MR. POA. Hindi ko po… and Representative France knows this, 'no, I'm very straightforward with you all the time, pero hindi ko po talaga alam iyong sagot diyan sa pag-operationalize ng Confidential Funds. So, unfortunately, hindi ko talaga kayo masasagot, Ma'am.

REP. F. L. CASTRO. So, sinasabi ba, Mr. Chair, ni Attorney Poa na it is Edward… Edward Fajarda and Vice President Sara Duterte yuong bumuo nitong accomplishment report?

MR. POA. I… I have no personal knowledge kung sino po mismo iyong nagbuo, but I'm only saying that because of the signatures found in the accomplishment report, Your Honor. Kasi...

REP. F. L. CASTRO. Okay. Napakahalaga, Mr. Chair, na mapatawag talaga si ano, 'no, si Vice President Sara Duterte, together with Fajarda. Kasi, katulad noong observation natin sa 125 million na OVP na misused, parang may nakiki… nakikita… nakakakitaan talaga natin dito, 'no, ng problema ng misuse, like katulad niyan, 37.5 million. So, ano ba iyong kaibahan noong mga activities nitong mga 'to? Kasi, kung titingnan natin, Mr. Chair, isa lang po… I mean, isang set lang po iyong activities, 'no, iyong tinatawag nilang program project activities, counter-insurgency programs, abuse prevention and control within schools, anti-illegal activities operations, anti-extremism, terrorism programs. So, dito, makikita natin iyong mga accomplishment. So, sa first quarter, second quarter, third quarter, Mr. Chair, pare-parehas ang sinasabi, 'no—prevention of recruitment by NPA and other communist-leftist group towards teachers and students. Hundred percent daw implementation ng mga activities.

So, ang tanong ko lang, Mr. Chair, sino ang niloloko nito, hindi ba, itong mga ganitong mga report, no? Kung… Kung ia-analyze natin itong mga ganitong report, na parang i-accept na lang natin—ang COA—i-accept na lang natin, through hook and sinker, itong isanasabmit (*submit*) ni Sara Duterte at saka nitong si Fajarda, kung si… sila man talaga iyong gumagawa nito, sino lolokohin natin dito sa sinasabi nila, 'no, na wala na daw, na-prevent na raw iyong recruitment?

Number two, ito pong… ito pong counter-insurgency programs na ito, Mr. Chair, itong abuse prevention and control within schools, anti-illegal activities, anti-extremism, ito po ba yuong talagang pinakaproblema ng mga eskwelahan natin?

Para kay Usec Poa, alam ko, ikaw, noong DEPED Secretary ka, we, ano, 'no…

MR. POA. Undersecretary…

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REP. F. L. CASTRO. ...we talk, 'no...

MR. POA. Undersecretary *(Laughs)*.

REP. F. L. CASTRO. Ay, Undersecretary. Inano ko na kaagad, prinomowt (*promote*). Hindi ba nagto-talk tayo ng mga problema sa schools, hindi ba? So, tingin mo ba itong apat na ito, ito iyong talagang problema natin sa eskwelahan na kailangang gamitan ng Confidential Funds para maituloy iyong programa natin sa eskwelahan?

MR. POA. Well, Mr. Chair, if I may respond?

THE CHAIRPERSON. Yes, please continue.

MR. POA. Well, sa totoo lang po, honestly, isa siya sa mga problema pero hindi lang po siya iyong problema. Napakarami po talaga nating problema, especially noong time ko sa DEPED, and... and we've... I've discussed it with Congresswoman Castro several times. So, I cannot naman po say it's not one of the problems 'cause may mga reports nga na umabot sa atin na may ganyang problema. But I would say na it's one of the many, many, many problems in basic education po.

REP. F. L. CASTRO. Yes, mas mahala... Mas maano iyong problema, like iyong grooming, yuong... ito iyong binanggit ni Sara Duterte, eh, noong tinanong ko, "Saan mo gagamitin iyong Confidential Fund," Mr. Chair? So, tinanong ko... tinanong ko sa... noong 2022. So, sabi for grooming daw, *et cetera*. Pero nakita naman natin problema ngayon, hindi ba, mga bullying, 'no, at iba pa na related. Pero mukhang hindi... hindi ito iyong nakikita nating pinakaproblema, 'no, sa mga eskwelahan natin. Kung titingnan natin ito, Mr. Chair, parang ginawa lang ito for...for... para ma-justify lang yuong Confidential Funds na 150. Nakita naman natin, Mr. Chair, doon sa palitan kanina ng interpellation ng mga nauna.

So, itong mga ginagawa na ito na certification, Mr. Chair, hindi ito project ng DEPED, 'no. Ay, hindi ito ginawa at hindi ito pinondohan ng DEPED. Ni hindi nga alam ni Usec... ni Attorney Poa itong mga activities na ito, hindi niya naintindihan. Pero nakita natin, Mr. Chair, sinabmit (*submit*). Ano ba ito, re... ano, ah... pinraktis (*practice*) ba natin dito na iyong parang sinasabi natin na hindi natin iniintindi?

So, ito ba, Mr. Poa, Attorney Poa, sinabmit (*submit*) niyo na lang ng walang pagkaintindi?

MR. POA. Hindi...

REP. F. L. CASTRO. Hindi ba kayo nagtanong kay... kay former Usec Mempin, ano itong mga ito?

THE CHAIRPERSON. Please answer, Attorney Poa.

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MR. POA. Mr. Chair, Mr. Chair, with all due respect, Ma'am, hindi naman po sa hindi inintindi, humingi po ako ng reports na evidencing success para... as required by COA. Noong nakita ko po iyong report, ang pagkakaintindi ko po is hinold (*hold*) iyong mga seminars due to coordination and information received from DEPED. So, I took the certification as is.

REP. F. L. CASTRO. Pero... Mr. Chair, putulin nakita diyan, Attorney.

MR. POA. Opo.

REP. F. L. CASTRO. Malinaw naman kanina, eh, doon sa interpellation na wala itong relasyon dito sa activity ng DEPED. Ni wala ngang MOA, Mr. Chair, hindi ba? So, hindi mo puwedeng gawin ito na justification. Para bang ano, Mr. Chair, sa eskwelahan, hindi ka makapag-liquidate. Ngayon, kulang ka ng... kulang ka ng ilang thousands. So, ang gagawin mo ba maghahanap ka ng resibo sa kung saan na puwede mong ipamasak doon sa liquidation noong Confidential Funds? So, parang ito kasi, iyong certification na ito, Mr. Chair, this justifies young... sa hinahanap ng COA na kulang na 15 million.

Pero, siyempre, may question nga ako, 'no, paano ba ina-analyze ng COA itong mga ginagastos na ito sa Confidential Funds? Parang tanggap na lang ito.

So, okay na po iyong kay... kay Attorney Poa, 'no, narinig ko na iyong justification kanina. So, sabi natin na... kanina, Mr. Chair, na, sige, hindi... hindi... hindi...naintindihan niyo naman po ito na isinabmit (*submit*) sa inyo at isinabmit (*submit*) ninyo sa COA. Pero hindi ba kayo nag-scrutinize, hindi ba kayo nag-ano, 'no, nagtanong anong me... anong... para saan ito? Bakit ganito iyong isinabmit (*submit*) ni Usec Poa sa in... ah, Usec... Usec Mem... Mempin sa inyo po, Attorney Poa?

MR. POA. Mr. Chair.

THE CHAIRPERSON. Yes, please answer.

MR. POA. To be... To be perfectly candid, Mr. Chair and Your Honor, ang dami ko pong trabaho noon sa DEPED, *(Laughs))* I... one of... one of them was to comply with AOM—I'm not using that as an excuse—one of them has to comply with AOM. So, kung ano pong documentation na available at that time na nasa OSEC or binigay sa amin...

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MR. POA. (Continuing)...binigay sa amin, binigay sa OSEC, iyon na lang po talaga iyong sinabmit *(submit)* ko sa COA. Of course, I read the documents, Your Honor. If... I respect the opinion of the good Congresswoman. I maintain the fact na iyon po iyong impression ko na... because there was already coordination and information from DEPED that... I... I wasn't even sure if it would suffice but, at least, that was a documentation that was provided to us, and so I had to submit it in compliance with COA po, Your Honor.

REP. F. L. CASTRO. So, sa tingin ko, Mr. Chair, hindi ito suffice to justify iyong paggamit ng Confidential Funds. Narinig naman natin na walang relasyon ito doon sa Confidential Funds. So, saan napunta? Ang tanong dito, saan ginamit, saan napunta, at kanino napunta itong tinatanong natin na 15 million na Confidential Funds na hindi ano, 'no, na hindi nakita po ng COA?

Mr. Chair, sinong puwedeng sumagot noon?

MR. POA. Mr. Chair.

THE CHAIRPERSON. Please answer, Attorney Poa.

REP. F. L. CASTRO. Hindi mo rin alam.

MR. POA. Mr. Chair, with all honestly, under oath, hindi ko po masasagot...

REP. F. L. CASTRO. Okay.

MR. POA. ...dahil wala po akong personal knowledge diyan.

REP. F. L. CASTRO. Ang nadi... Ang... Kanina kasi may nag-withdraw ng pera, 'no, sa Land Bank, tama ba, Mr. Chair, doon sa mga interpellation kanina? At sino bang... sino ba sa ating colleague na nagsabi na kung paano nabuhat itong 37 million *(Laughs)* mula...?

REP. A. D. GONZALES. Ako, Mr. Chair.

REP. F. L. CASTRO. Ayon, si SDS.

So, itong 37.5 million na ito, ibig sabihin cold... cold cash ito na ang nag-disburse lang is either si Fajarda o si Vice President Duterte, sila lang talaga iyong nakakaalam, Mr. Chair. So sinasabi natin dito na talagang ano, 'no, talagang significant iyong presence ni Vice President dito.

Well, sa COA, ngayong alam niyo na po... Ah, by the way, saan pong... saan pongano ito, justification? Saang PPA po siya, sa counterinsurgency, tama po ba, sa COA? Saang justification itong certification na 'to? So is this certification for the whole three quarters, Mr. Chair?

Mr. Chair, COA.

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THE CHAIRPERSON. Si Attorney... You are recognized, Attorney Camora.

MS. CAMORA. Madam Chair, for... iyong... iyong certification na po iyon is for iyong mga rewards noong buong quarter na po iyon.

REP. F. L. CASTRO. Anong quarter po ito, itong certification na 'to? Tatlong quarter, eh, nagpasa sila ng ano.

MS. CAMORA. First... First quart... First and second quarter po yata.

REP. F. L. CASTRO. Are you sure?

MS. CAMORA. Kung iyong certification po, Madam... Mr. Chair, I think it's for the whole year, although iyong... iyong sinu-support po niya na liquidation is for the first and second quarter.

REP. F. L. CASTRO. Yes. For what PPA? Is it in the counterinsurgency programs?

MS. CAMORA. Hindi po na namin tiningnan kung anong...

REP. F. L. CASTRO. Have you read the certification? Ano iyong sinasabi sa certification? Ito, o, sinasabi sa certification, halimbawa na lang itong... Mr. Chair, 'no, basahin natin iyong kay Boransing, kay Colonel, Colonel Boransing. Kung titingnan natin iyong certification, may eight activities na YL... na may YL... sa YLS, tig-531 participants, nine thousand four hundred... 9,428. This was carried out from January 1 to December 1... 30... which resulted to zero reported CTG recruitment in addition. This Command has implemented FR—Hindi ko po alam iyan kung ano iyan—CAMPLAN TINAM... "TINABANGAY". So, ang ibig sabihin po, ito ay para sa PPA 1, PPA number 1 kasi for CTG raw ito, eh, 'no, iyong mga recruitment ng NPA.

Ito, kung titingnan natin, Mr. Chair, iyong certification po ni Lieutenant Colonel Panopio, ganoon din iyon, for the elimination noong mga NPA at saka recruitment, 'no. Okay. Next.

At iyon din po iyong sa ano, 'no, iyong sa iba pa na ano. Ito, information education campaign. So, ti... tingin ko, para doon sa ano 'to, sa YSL o YLS. So, ito, para dito sa number one PPA po.

So iyong abuse prevention and control within the school, 'asaan po yuong outcome and accomplishment report? Kung ito for one year, for one year ng PPA 1, 'asaan po iyong accomplishment report ng number 2 PPA kasi ang nakalagay dito, reduced abuses against learners? So, mayroon ba tayo, Mr. Chair, na base data kung ilan po iyong abuses within the year kaya nasabi ng... nasabi ni VP at nasabi ni Fajarda na ab... na na-reduce na daw po yuong abuses against learner? 'Asaan po

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iyong accomplishment report nito? Kasi hindi natin puwedeng tanggapin lang ito na ganito lang, Mr. Chair. Where is it?

MS. CAMORA. Mr. Chair, ito lang po iyong na-receive namin. So, at that time po, naging sufficient na sa payment of rewards po.

REP. F. L. CASTRO. Ito, sufficient na? Sufficient na po ito dito sa apat na PPAs, Mr. Chair? I cannot accept that, kasi ang nakalagay dito, "reduced abuses against learners". Ano ba iyong baseline, paano na-reduce, ilan iyong number? Payment of reward, 2 million, 2.95 million; purchase of supply, 2.69 million; payment of incentives and travelling, *et cetera*—makikita niyo diyan, eh, Mr. Chair—purchase of information, 2.2 million. May 10 million dito, reduced abuse against learners. So, papaano natin masusukat iyon?

Mr. Chair, ako po, mathematics teacher ako. Gumagamit kami ng rubrics. At kami... iyong mga teacher, sinusukat sa kung ano iyong nagagawa nila. Pero kung ganito, alam ninyo po, hindi ito papasa as teacher. Kung ganito po, hindi po ito papasa or hindi ito magkakaroon ng ano, 'no, ng record ng VS or S, baka NI pa 'to, kasi wala itong ano, eh, wala itong justification.

So, sinasabi ba ng COA ito na for the whole year, Mr. Chair, iyong para sa justification ng 150 million?

MS. CAMORA. Mr. Chair, doon lang po sa rewards iyong 15... Iyong sa payment of rewards lang po iyon. Hindi po...

REP. F. L. CASTRO. Hindi. Kaya nga gusto kong makita iyong accomplishments. Gusto nating makita iyong actual outcome. Ano iyong actual out... outcome? Tinanggap ko na nga iyong number one, eh. O, di sige, mayroon nito kahit na hindi ito katanggap-tanggap, Mr. Chair, ha, kung bubusisiin ko pa iyan. So 'asan po iyong ano, 'no, pagre-reduce?

Next, eliminate illegal activities within schools. Okay, eliminate illegal activities, ano ba iyong mga illegal activities within the school? Ano iyong baseline data, ano iyong mga na-eliminate, ano-ano itong mga illegal na ginagawa sa loob ng eskwelahan? Mayroon po ba accomplishment?

Conducted surveillance in 119 areas, hundred percent implementation of activities, so what's this? Walang meaning ito, Mr. Chair, sa atin kung titingnan natin, kung... kung talagang mag... mag-aano tayo, 'no, bubusisiin talaga natin itong Confidential Funds.

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So, kung ganito iyong isinabmit *(submit)*, tinanggap niyo lang iyan? Tapos sasabihin niyo ang kulang lang ay iyong pagpapaliwanag ng rewards? Kung ako iyong auditor, Mr. Chair, hindi ako ano, 'no, hindi ako… hindi ko tatanggapin iyon. Ano-ano iyong mga sinasabing outcome nito?

And next, anti-extremism/terrorism programs; gather information/necessary implementation of general peace and order within the department. Ano po iyong outcome nito? Ano po iyong patunay nito, Mr. Chair?

MS. CAMORA. Iyong certification din, Mr. Chair. Like, iyong iba po, may kasamang terrorism, physical harm, criminalities, and drug abuse. It's the same po, iyong… iyong certification din po.

REP. F. L. CASTRO. So mayroon kayo noong certification?

MS. CAMORA. The same po na iyong sinabmit *(submit)* po noong…

REP. F. L. CASTRO. Well, Mr. Chair, hindi po katanggap-tanggap…

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REP. F. L. CASTRO. (Continuing)...hindi po katanggap-tanggap ito na pinayagan ng auditor natin itong napaka... sinabi ko na, 'no, hindi masusukat, 'no, sa kahit na ano, tapos gagastos tayo ng hundred... 150 million na Confidential Funds, minus 37 million. So, hindi po katanggap-tanggap ito.

Ngayon, Mr. Chair, na alam mo na... ito, ngayon alam na ng COA na ito ay para sa justification ng one to four na PPA—bagama't hindi natin tinatanggap, Mr. Chair—at sinasabi ng... ng Philippine Army na hindi daw ito related sa DEPED activities nito. So, ano ang ibig sabihin niyan, Mr. Chair?

MS. CAMORA. Ito po ay support po noong success noong information gathering.

REP. F. L. CASTRO. Well, naiintindihan niyo po ba ako, Attorney Gloria? Hindi nga ito, eh, iyong support, eh. Kasi sinasabi nila different ito na activities na separate na ginagawa ng... ng ano, ng... ng AFP.

MS. CAMORA. Opo, pero...

REP. F. L. CASTRO. So, bakit gagamitin mo ito dito sa liquidation at bakit tatatanggapin ng COA na ito iyong pang... pang justify doon sa milyon-milyon na Confidential Funds ni Sara Duterte as DEPED Secretary?

MS. CAMORA. Iyon po iyong sa... to prove iyong success noong program.

REP. F. L. CASTRO. No, this is not the success. Success siguro ng ano...

MS. CAMORA. Hindi po, success noong information gathering related to the program po of DEPED and the... collaboration po yata kasi ito.

REP. F. L. CASTRO. Well, hindi ko iyon matatangap, Mr. Chair. Talagang mayroon talaga tayong gagawing batas para mapahigpit talaga natin and even yuong pag-o-audit ng mga Confidential Funds, Mr. Chair. Hindi niyo puwedeng mag submit... Kahit na teacher ka, mag-submit ng ganyan iyong bata, siyempre babasahin mo, i-scrutinize mo, at i... ge-grade-an mo. Pero ito, Mr. Chair...

So, iyon lang, Mr. Chair, ang ano ko diyan ano, dahil nalaman na ng COA na hindi ito iyong madya-justify noong Confidential Funds ng DEPED in 2023, Mr. Chair, dapat ibalik, ibalik iyong buong ano, 'no, ibalik iyong Confidential Funds dahil hindi iyan makakapag-justify nito. Kahit na sabihin pa natin sa COA, hindi ko po matatanggap, Mr. Chair, na ito iyon, 'no, na puwedeng itong pang-justify dito sa sinasabing PPA.

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So, iyong lang, Mr. Chair, 'no, kung ito iyong mako-cover noong lahat na accomplishment nitong 150 million na Confidential Fund, minus 37.5 million, ay hindi ko po matatanggap, Mr. Chair.

So, iyong lang, Mr. Chair, at mayroon tayong dapat na gawin kaugnay diyan.

THE CHAIRPERSON. Okay. Thank you.

Before we wrap-up this hearing, the Chair would like to recognize the Honorable Congressman Romy Acop.

REP. ACOP. Points lang, Mr. Chair, na hindi na take-up. But for the information of the Honorable Castro, tinanong ko na rin iyan kanina, eh. Pero ang sabi nila iyon po ay ganoon talaga ang requirement lang nila in order to liquidate iyong Confidential Fund.

But, Usec Poa, you mentioned something about the AOM that's why you got certifications from the Philippine Army units, would that be correct?

MR. POA. Yes, Your Honor. Yes, Sir.

REP. ACOP. Now, may I ask COA, what was AOM all about? Ano po iyong AOM na sinasabi ni Usec Poa na basis niya para humingi ng certification sa Philippine Army units?

THE CHAIRPERSON. Attorney Camora.

MS. CAMORA. Mr. Chair, iyong first na AOM for na na-issue sa DEPED which is AOM No. 2024-015 po.

REP. ACOP. What is it all about?

MS. CAMORA. Nandito po iyong mga observations namin, iyong for the first... ah, iyong first time po nila na...

REP. ACOP. Ano po iyong... in general, iyong gist noong observation po ninyo?

MS. CAMORA. Iyong first one, hindi po sila nag-submit ng documentary evidence of payment. Iyong second one, mayroon po kaming... kasi hindi po... iyong sa accomplishment reports nila, hindi pa po iyong confidential activities or confidential expenses ang nilagay nila. Iyong third one is iyong sa... kulang po iyong supporting... supporting nila sa payment of rewards. Iyong sa number four po, doon sa physical and financial plan po nila, hindi naka-indicate iyong mga particular activi... confidential activities. And then, sa item five po, hindi po properly... hindi po properly account... accomplished iyong DV, ganoon din po iyong sa observation number six po.

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REP. ACOP. Saan pong observation… saan pong AO, first, second, third, fourth and fifth nakalagay iyong requirement ng certification ng Philippine Army units…

MS. CAMORA. I-co…

REP. ACOP. …for you to be able to give a credit notice.

MS. CAMORA. It pertains po to number three, iyong payment of rewards to informers. It must be supported with documents evidencing the success of the information gathering and/or surveillance activities. Iyon po iyong…

REP. ACOP. Matanong ko po kayo, sa certification pertaining to YLS, nasaan po iyong… iyong information gathering at saka ano pa iyong activities na nakalagay doon?

MS. CAMORA. Sa certification itself, wala naman po. Ang na pick-up lang po namin is iyong success noong activity noong sa YLS po.

REP. ACOP. So, even if it is not a Y… YLS activity, puwede niyong tanggapin iyong certification…

MS. CAMORA. As long as…

REP. ACOP. …basta't naging successful, ganoon po ba?

MS. CAMORA. …successful po siya. Opo, sa…

REP. ACOP. Basta't naging successful?

MS. CAMORA. …iyong information gathering or surveillance activities po.

REP. ACOP. Paano po…Paano nagkakaroon po ng information gathering doon po sa activity ng YLS?

MS. CAMORA. Kung programs po iyon noong DEPED, tapos kailangan po nilang… iyon po, mag-gather ng information on…

REP. ACOP. Kaya nga, programa ng Y… ng DEPED iyon?

MS. CAMORA. Opo.

REP. ACOP. Paano natin iko-connect iyong programa na iyon doon sa YLS activities ng Philippine Army?

MS. CAMORA. Iyon nga po, based sa certification nila, there was a collaborative effort between DEPED and iyon po, iyong nag-issue po noong certification.

REP. ACOP. There was a collaborative effort…

MS. CAMORA. Yeah po.

REP. ACOP. …ng DEPED at saka kuwan?

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MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. So, that is enough to justify na bigyan niyo sila ng green notice… ay, credit notice at mawala na iyong observations niyo sa AOM, iyon po ba iyong sinasabi niyo po sa amin?

MS. CAMORA. Yes, Mr. Chair, po.

REP. ACOP. So, Honorable Castro, I will… I will go with you insofar as your observation is concerned.

Thank you, Mr. Chair.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Honorable Benny Abante.

REP. ABANTE. I just have few questions before we wrap-up, 'no.

THE CHAIRPERSON. Yes, please continue.

REP. ABANTE. Tutal ako naman talaga taga-wrap up kahit sa QuadCom, eh.

Anyway, sa atin pong military, 'no, for example, Major General Bajao. All right. Ano ba, sa elementary and high school natin, matindi ba ang problema sa insurgency?

MR. BAJAO. Major General Bajao, Mr. Chair, may I be recognized?

THE CHAIRPERSON. Major General Bajao, you are recognized.

MR. BAJAO. Thank you, Mr. Chair.

Your Honor, ang problema ng insurhensiya *(insurgency)* po ay nandiyan pa. Although, sa buong Pilipinas po, I can only speak for Bicol Region na nire-represent ko bilang dating Commander, ay pababa na po 'to.

REP. ABANTE. Okay. generally speaking, Major Bajao, alam ko Bicol lang 'no? are you a Bicolano?

MR. BAJAO. No, Mr. Chair, Your Honor.

REP. ABANTE. Okay. Sa Bicol ka lang. Pero I think that even Usec Mempin could be able to say this. Matindi ba ang problema sa insurgency sa high school and elementary o hindi na? Sapagkat…

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REP. ABANTE. (Continuing)...Sapagkat... Hindi na?

MR. BAJAO. Pababa na po siya, Your Honor.

REP. ABANTE. Pababa na?

MR. BAJAO. Yes, Your Honor.

REP. ABANTE. *Gaano... Ano... Gaano po, for example? ilang percent?* Gaano pababa? Gaano pababa?

MR. BAJAO. I can only speak for the 9th Infantry Division, Your Honor. Mayroon kaming dating walong guerrilla fronts. Ngayon, mag-isa na lang po ang naiwan na weakened guerrilla front. So, ganoon kababa na po.

REP. ABANTE. Mayroon pa ba tayong mga... mga NPA na mga sundalo na mga *menor de edad?* Marami pa ba?

MR. BAJAO. Sa... Pagka ngayon po, Your Honor, wala po kaming nasasagupa sa aking kapanahunan po.

REP. ABANTE. Wala na. So, ibig sabihin, mas mataas ang... ano... ang issue ng insurgency sa college, sa college, correct?

MR. BAJAO. Yes, Your Honor, Mr. Chair.

REP. ABANTE. Therefore, hindi DEPED, dapat CHED, tama ako, mali?

MR. BAJAO. Your Honor, we categorize the youth po na 15 to 30 years old po, kasama dito iyong mga ibang high school students po.

REP. ABANTE. Ganito na lang iyon, if DEPED would have a subject, a subject lang, ha, ha—kayong mga DEPED family, please, listen to me when I say this—kung mayroon kayong subject sa high school, high school, for example, on anti-insurgency campaign, ha, on the evils of communism and atheism, eh, mas maganda, 'di ba?

Tama ako, Mr. Munsayac?

MR. MUNSAYAC. Yes, Your Honor.

REP. ABANTE. Hindi na kailangan pa iyong youth summit na binabanggit ninyo na ginagastusan ng Confidential Fund ng DEPED, oo. Ngayon, sa college puwede sapagkat mayroon po tayong... mayroon tayong UP; mayroon tayong PUP; oo, o, mayroon tayong Pamantasan ng Lungsod ng Maynila, na iyan puwede pang maging... maging breeding place ng insurgency iyan, eh, 'di ba? So, therefore, it must be CHED. It must be CHED that should connect with the DND as far as the anti-insurgency campaign should be done.

Am I right, Major Bajao?

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MR. BAJAO. You're right, Your Honor.

REP. ABANTE. Okay.

Usec Mempin, am I right?

MR. MEMPIN. Yes, Your Honor.

REP. ABANTE. *O, ganoon na lang gawin natin,* DEPED, *ha, magkaroon na* lang tayo ng subject on anti-insurgency ano, ha, sa ating high school—communism and atheism, 'no. And let us just... siguro kinakailangan na rin natin na atin nang i-promote iyong talagang... talagang for the love of God and country sa DEPED, 'no? Ganoon din sa CHED. Siguro iyan ang kinakailangan gawin natin ngayon, ha?

O, ito naman, sa COA naman, 'no. Itong... Itong inyong joint circular is a joint circular that had been written na ang kasama dito DBM, DILG, DND, Governance Commission for GOCC, and Commission on Audit, am I right?

MS. CAMORA. Tama po, Mr. Chair,

REP. ABANTE. Ayon. Walang DEPED dito, eh.

MS. CAMORA. Tama po.

REP. ABANTE. Walang DEPED. So, ibig sabihin, kayong mga sa audit, Commission on Audit, should realize na wala ang DEPED dito, hindi kasama. Ibig sabihin, hindi dapat magkaroon ng Confidential Fund ang DEPED, in the first place, hindi dapat magkaroon. And that... that should have been made improper, oo, 'di ba? O, nakalagay dito, "The utilization of such funds is generally confidential and classified by nature, which requires not only strong internal controls in the release and utilization thereof, but also strict accounting and auditing rules to prevent mishandling or improper application of the funds," of which COA has neglected.

Attorney.

MS. CAMORA. Mr. Chair.

REP. ABANTE. What is your comment on that?

THE CHAIRPERSON. Attorney Camora.

MS. CAMORA. Mr. Chair, actually po, we are currently...

REP. ABANTE. Binasa ko lang, ha, binasa ko lang, ha iyong, ano, nakalagay dito.

MS. CAMORA. Opo. We are currently in talks with the same agencies po na i-me... i-amend na po ang Joint Circular.

REP. ABANTE. Oo.

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MS. CAMORA. So, ongoing na po iyong talks about the amendment. And I think subject na rin po ito yata… kasama siya sa court case so hindi po...

REP. ABANTE. O, kayong mga nasa COA, Director, ito, ha, therefore, kung naniniwala tayo dito sa nakalagay sa circular na ito, ha, then COA should strictly, *strictly account and audit—iyan ang nakalagay, eh, ha—to prevent mishandling or* improper application of the funds.

We are now requesting in this Committee, Mr. Chair, na gawin niyo na ito.

Attorney, Mr. Chair…

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. …gawin ninyo na ito…

MS. CAMORA. Opo, Mr. Chair.

REP. ABANTE. …hindi ba? Please, gawin niyo na iyong nakalagay dito, oo, para maulit natin 'to, ha, malaman po ng taong-bayan to. Ito ang nakalagay sa Joint Circular No. 2015-01, January 8, 2015 'to nailabas, ha. Ito ang nakalagay, "The utilization of such funds is generally confidential and classified by nature, which requires not only strong internal controls…" iyan, una iyan, ha, "…in the release and utilization thereof…" Number two, "…but also strict accounting and auditing rules to prevent mishandling or improper application of the funds." And this is the work of COA, am I right?

MS. CAMORA. Yes po, Mr. Chair.

REP. ABANTE. So, Mr. Chair, we are requesting that COA should now do what they should do to implement, implement this Joint Circular right now. Because you have always been telling us that you... you're always mentioning the Joint Circular, and because of that nakakalusot iyong mga… iyong mga tinatawag nating rentals na iyan. Nakakalusot, ha. Walang attachment, walang particulars. Hindi malaman kung paano ginamit iyan, ha. Bakit iyong 78 days na iyan, 5 million lamang, pero bakit iyong 11 days, 16 million? My goodness! Kahit sinong kausapin niyo, kahit hindi marunong na mathematics, ha, sasabihin nila, "Aba, ang taas naman nito," hindi ba? Kahit hindi marunong. Kahit hindi marunong magbasa at magsulat niyan, 'pag nakita iyong mga figures na iyan, eh, bakit ganoon? Bakit ganoon?

Listen, COA at lahat tayo rito, 'no, ha, tandaan po natin na ang taong-bayan pa rin ang makapangyarihan dito, ha. And the thing is this, 'no, we still would like to say, this that we are not a government of men, we are a government of laws and, therefore, every law must be implemented properly.

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And I would like to please, to please suggest, ha, to COA, tingnan niyo ng maigi ito, and please implement the ruling in the Joint Circular. Nakita ko't nabasa ko, eh. You're using it, therefore, gawin niyo ang dapat mangyari diyan sapagkat strict accounting and auditing...

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. ...tama ho ba ako?

MS. CAMORA. Yes po, Mr. Chair.

REP. ABANTE. Gawin natin.

Maraming-maraming salamat po, Mr. Chair. Iyon lamang.

REP. A. D. GONZALES. Mr. Chairman.

THE CHAIRPERSON. Yes, Senior Deputy Speaker Dong Gonzales.

REP. A. D. GONZALES. Mr. Chairman, based on this Joint Circular, can I have my manifestations? The Joint Circular needs improvement in terms of evidence of payments, and to allow COA to check safehouses, other agreements to ensure validity of the payments. And the Joint Circular is already nine years old—tama ho ba, nine years old na?

MS. CAMORA. Yes, Mr. Chair.

REP. A. D. GONZALES. So, it needs to update at this point in time, Mr. Chairman.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you.

REP. LUISTRO. Mr. Chair.

REP. FLORES. Mr. Chair.

THE CHAIRPERSON. Before I recognize Congressman Flores, COA, may tanong lang po ako. Since hindi po kasama dito sa Joint Circular ang DEPED at ang OVP, does it follow na dap... hindi sila covered nitong Joint Circular?

MS. CAMORA. Hindi naman po, Mr. Chair. Ang covered po ng kung sino ang may Confidential Funds ay iyong binigyan po ng... ng Congress po natin.

THE CHAIRPERSON. Okay.

MS. CAMORA. Ito lang po iyong mga nag-craft...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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MS. CAMORA. (Continuing)…nag-craft noong…

THE CHAIRPERSON. Joint Circular?

MS. CAMORA. …May kaniya-kaniyang… May kaniya-kaniyang role po kasi, like, si DBM po…

THE CHAIRPERSON. Okay.

MS. CAMORA. …sila po iyong sa grant. Tapos, iyong utilization, I think it's more on DND and DILG, since sila po iyong involved talaga. And iyong audit part po is iyong part ng COA.

THE CHAIRPERSON. Okay.

The Chair would like to recognize the Honorable Jonathan Flores.

REP. FLORES. Thank you, Mr. Chair.

Mr. Chair, I'm just asking about the spouses Fajarda, because they've been mentioned several times during the… the interpellation of other Members. And I was informed by the ComSec that there was a letter executed by Sunshine Fajarda declining the invitation of this Committee, Mr. Chair, on the ground that she… her position is… has nothing relevant to contribute to the… to the current investigation. But I think, Mr. Chair, that that should be for us to decide, whether or not is should be relevant or not.

So, with that letter declining our invitation, Mr. Chair, I move that we issue a show cause order, Mr. Chair, to determine… ah, no, *subpoena, subpoena ad testificandum,* Mr. Chair, to compel the presence of Sunshine Fajarda, Mr. Chair.

REP. ACOP. Second.

THE CHAIRPERSON. Is there any second to the motion?

REP. LUISTRO. Second.

REP. VALERIANO. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

May we request the ComSec to issue a *subpoena ad testificandum* to Sunshine Fajarda, as well look out inclusion… inclusion in the Look-out Bulletin Order request.

REP. FLORES. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

The Honorable Gerville Luistro is recognized.

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REP. LUISTRO. Mr. Chair, it was clearly established that the certification issued by the AFP was used by DEPED to justify the payment of reward to informers. I just want to have this last question for the AFP. When you issued the certification, were you aware that this will be used to justify the 15 million payment of rewards by the DEPED? Can we hear from Major General Bajao?

MR. BAJAO. Yes, Ma'am.

May I be recognized, Mr. Chair?

THE CHAIRPERSON. Yes...

MR. BAJAO. Thank you, Ma'am...

THE CHAIRPERSON. ...Major General Bajao.

MR. BAJAO. Of all the letters or certifications issued to DEPED po for using for pay...

REP. LUISTRO. The question...

MR. BAJAO. Yeah.

REP. LUISTRO. ...General, is whether you are aware... you were aware that the certification will be used to justify the 15 million reward to informers?

MR. BAJAO. We are not, Ma'am.

REP. LUISTRO. You are not aware?

MR. BAJAO. Yes, Ma'am.

REP. LUISTRO. Can we hear from Colonel Panopio?

MR. PANOPIO. Mr. Chairman, Your Honor, we are not...

THE CHAIRPERSON. Colonel Panopio, you're recognized.

MR. PANOPIO. Yes, Ma'am, Mr. Chairman...

REP. LUISTRO. Were you aware?

MR. PANOPIO. ...we are not aware, Your Honor.

REP. LUISTRO. You were not aware.

Colonel Boransing?

THE CHAIRPERSON. Colonel Boransing, you are recognized.

MR. BORANSING. Thank you, Mr. Chair.

We... ah, we were not aware, Mr. Chair.

REP. LUISTRO. Colonel Sangdaan?

THE CHAIRPERSON. Colonel Sangdaan, you are recognized.

MR. SANGDAAN. Thank you, Mr. Chair.

We were not aware, Ma'am.

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REP. LUISTRO. In other words, Mr. Chair, without the knowledge of the AFP, the certification was issued to DEPED to be able to justify the 15 million that was used, allegedly, for the payment of reward.

To this point, Mr. Chair, we are not even sure whether that money was indeed paid as reward to the informers.

Mr. Chair, to call the attention of the COA, I just want to share this very enlightening jurisprudence, Jover *versus* Field Investigation Office, "By turning a blind eye to the irregularities in the allocation and disbursement of public funds, petitioner condoned a practice that deprived many of her countrymen of funds which could have been used for projects to help improve their livelihood." It is not enough that we have submitted ourselves to the loose and relax requirement of the Joint Circular 2015-01. While we tolerate all these irregularities, we are causing deprivation of the basic needs of the so many Filipino citizens. I hope that COA realized that.

And to close, Mr. Chair, I just want to stand corrected, what I shared earlier is not from Star Wars *(Laughter)*—it's from Spiderman, "Comes with the great power is great responsibility." And when we have this public trust, it carries with it public accountability.

Thank you, Mr. Chair.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Congressman Benny Abante, Vice Chairman.

REP. ABANTE. I just would like to air a warning to the one that wrote a letter, 'no. I think it's the wife of Edward Fajarda, 'no, questioning the jurisdiction of this Committee, 'no. If she will not attend the next hearing, I'll... I will... I will have a motion to cite her in contempt. Mr. Chair.

Thank you very much.

REP. FLORES. Mr. Chair. I'm sorry, Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Flores.

REP. FLORES. Just a follow-up to what Congresswoman Jinky...

REP. LUISTRO. Star Wars?

THE CHAIRPERSON. Please continue.

REP. FLORES. No, no, not Spiderman...

THE CHAIRPERSON. The Star Wars?

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REP. FLORES. ...or Star Wars, Mr. Chair. *(Laughter)*

THE CHAIRPERSON. Okay.

REP. FLORES. Ang question ko lang po is with Colonel Boransing.

Sir, if you were made aware that the certification that you were asked to issue was going to be used to justify the expenses of DEPED, would you have agreed to issue such certification?

THE CHAIRPERSON. Colonel Boransing.

MR. BORANSING. Thank you. Mr. Chair.

Ah, Mr. Chair, since we were not informed, I was not informed, it's very hard to speculate on what my... what I might have done if... since it didn't happen.

REP. FLORES. Okay...

MR. BORANSING. Yes.

REP. FLORES. ...I'll... I'll rephrase my question. Kung alam mo na hiningian ka ng certification to justify an expense which never passed your office, which you never used, hypothetically, 'no, by any office, not just the Office of the DEPED Secretary, would you issue a certification na knowing fully well that it be... it would be used to justify an expense which you never have hand on?

MR. BORANSING. Ah, as...with all Army units and AFP units, for example, if there was a multi-stakeholder activity, Mr. Chair, and someone from another agency is asking for a certification but he or she was not present, we would not issue the certificate of appearance or any certificate for that matter. It's a standard practice for the Armed Forces, Sir.

REP. FLORES. Thank you.

How about you, Colonel Panopio?

THE CHAIRPERSON. Colonel Panopio, you are recognized.

REP. FLORES. Would you have issued a certification na alam mong...

THE CHAIRPERSON. Same question?

REP. FLORES. Yeah.

MR. PANOPIO. First of all, there was no mention of certify... certification of fund in the... there was no mention of funds in the certification, Your Honor. But if we are aware that it will be used and we are not... we did not receive the money, we'll not issue the certification, Your Honor.

REP. FLORES. Okay. I think that's a similar answer, Colonel Sangdaan?

THE CHAIRPERSON. You are recognized, Colonel.

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MR. SANGDAAN. Yes, Sir. I will not.

REP. FLORES. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

Mayroon pa po bang Spiderman? Wala na po ba?

So, kung wala na po, do I hear a motion to suspend the hearing?

REP. LUISTRO. Motion to suspend, Mr. Chair.

REP. VALERIANO. Second.

REP. ACOP. Second.

VOICES. Second

THE CHAIRPERSON. Is there any objection? Hearing none, the Committee hearing of the Committee on Good Government and Public Accountability is hereby suspended until further notice.

The meeting was suspended at 4:59 p.m.

CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

MARICEL C. DATOON
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

MARIA ALYSSA A. PADILLA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

LORILYN E. DE CASTRO
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

KAY ANN RITZ D. RAMOS
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

JOHN E. GRUTA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

HANNA LEILA E. FRANCISCO
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ANNEX "N"

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Name: Arene
Date and Time: Jan. 23, 2025
10:22 AM

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

COMMITTEE ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY

DATE : 05 November 2024

TIME : 10:00 A.M.

VENUE : Second Floor
People's Center Building
House of Representatives
Batasan Hills, Quezon City

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REP. JOEL R. CHUA - **CHAIRPERSON**

ATTY. SHERYL CHRISTINE V. LAGROSAS - ACTING COMMITTEE SECRETARY

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The meeting was called to order at 10:38 a.m.

THE CHAIRPERSON. The hearing is now called to order.

Let us all stand up for the invocation to be led by the Honorable Francisco Paolo Ortega.

REP. FRANCISCO PAOLO P. ORTEGA V. Let us put ourselves in the presence of the Lord.

In the name of the Father, and of the Son, and of the Holy Spirit.

In the name of the Father, and the Son, and the Holy Spirit. Heavenly Father, we come before You today with humble hearts as we begin this congressional investigation. We ask for Your guidance and wisdom as we seek the truth and uphold the values of transparency, justice, accountability, and governance. Bless each Member of the Committee with clarity of mind and integrity of spirit and sincere dedication to the common good. Grant us the courage to ask the right questions and patience to listen, the discernment and the wisdom to act in ways that honor the trust of the people we serve.

Lord, we lift up to You our nation and all those who are affected by the deliberations that we hold today. May this hearing be a step towards restoring confidence in public institutions and ensuring the governance... that governance remains a tool for the welfare and progress of all.

Guide us, Oh Lord, so that in all we do Your will be done and Your justice be... justice be reflected in all our actions. The power and the...In Your kingdom, the power and the glory, now and forever. Amen.

In the name of the Father, the Son, and the Holy Spirit.

THE CHAIRPERSON. Let us remain standing for the singing of the national anthem.

At this juncture, a video recording of the Philippine national anthem was played.

THE CHAIRPERSON. Puwede na po tayong umupo.

We will now proceed to the calling of the roll. Do I hear a motion to dispense with the calling of the roll?

REP. ROMEO M. ACOP. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

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REP. ACOP. May I move that we dispense with the calling of the roll? So moved, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

REP. BIENVENIDO M. ABANTE, JR. Second.

REP. DAVID "JAY-JAY" C. SUAREZ. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

We will now proceed to the acknowledgement of the Members and the recognition of guests and resource persons.

May I request the ComSec to... to please acknowledge all the Members, as well as all the witnesses and the resource persons.

THE ACTING COMMITTEE SECRETARY. Good morning, Your Honors.

We recognize the presence of the following Members: Honorable Senior Vice Chairperson Bienvenido M. Abante, Jr. of the 6th District of Manila; Honorable Arnie B. Fuentebella of the 4th District of Camarines Sur; Honorable Zia Alonto Adiong of the 1st District of Lanao del Sur; Honorable Raoul Manuel... Danniel A. Manuel of Party-List KABATAAN; Honorable Vice Chairperson Jefferson F. Khonghun of the 1st District of Zambales; Honorable Deputy Speaker David "Jay-Jay" C. Suarez of the 2nd District of Quezon; Honorable Lorenz R. Defensor, Deputy Majority Leader, of the 3rd District of Iloilo; Honorable Vice Chairperson Romeo M. Acop of the 2nd District of Antipolo; Honorable Gerville "Jinky" R. Luistro of the 2nd District of Batangas; Honorable Joseph Stephen "Caraps" S. Paduano of the Party-List ABANG LINGKOD; Honorable Amparo Maria J. Zamora of the 2nd District of Taguig City; and Honorable Ramon Rodrigo L. Gutierrez of 1-RIDER Party-List, Your Honor.

Yes. Moving on to the resource persons, we have here present today the former—sorry—former spokesper... former Head of Procuring Entity of the Department of Education, Attorney Michael Wesley T. Poa; the former Assistant Secretary for Procurement of DEPED, Attorney Reynold S. Munsayac; the OIC-Director, Finance Service, all from DEPED, is Ms. Cholita Tiong, present today... she is present today; Ms. Christine G. Altea, Administrative Officer V, Contract Management Division of the Central Office; Attorney Zenith Europa, Director IV of the Legal Service; Mr. Revsee A. Escobedo, Undersecretary for Operations; Mr. Ferdinand Pitagan, Director IV of Informations and Communications Technology Service; Usec Annalyn M. Sevilla of the Finance Service Project Management Service; ASec Janir T. Datukan of the

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Curriculum and Teaching Strand; Ms. Ma. Teresa Fulgar, Chief Administrative Officer of the Procurement Planning and Management Division of the Central Office; Undersecretary for Curriculum and Teaching, Ms. Gina O. Gonong; ASec for Operations - Field Operations, Mr. Malcolm S. Garma; Usec for Procurement, Attorney Gerard L. Chan; Chief Accountant, Ms. Ma. Rhunna L. Catalan; ASec for Strategic Management, Ms. Cilette L. Co; ASec for Operations, Bureau of Learner Support Services, Mr. Dexter A. Galban, Your Honor, for DEPED.

Pardon, Your Honor, for the Commission on Audit, we have here Attorney V, Attorney Gloria A. Camora of the Intelligence and Confidential Funds Audit Office; Ms. Xylene Mae L. Del Campo, State Auditor III for the ICFAO; Mr. Fahad Bin Abdul Malik Tomawis, State Auditor for NGAS, Cluster 1 - Executive Offices; Ms. Zarah Jane M. Fegalan, State Auditor I, NGAS; Director IV Sofia C. Gemora; Attorney Haide T. Espuelas, Director IV, Special Audit Service; Ms. Imelda G. Celso, Supervising Auditor; Melinda S. Torio, State Auditor V; Ms. Norma E. Aquino, Director III, NGAS, Cluster 5 - Education and Employment; Ms. Melanie Julie R. Salazar, State Auditor IV.

Yes. Okay.

For...To follow up for DEPED, we have here Major General Nolasco A. Mempin; Brigadier General Noel Baluyan, Retired; Ms. Arlyn J. Cabiten, Senior Education Program Specialist; Mr. Francis Raymund Migrino, EA IV, Office of the Undersecretary for Finance; Mr. Joshua R. Mercado, Technical Assistant II, BACSD; Mr. Gilbert Remi Lacsina, Department Legislative Liaison Specialist; Ms. Ma. Prexie Meregildo, Technical Assistant of Legislative Liaison Office.

For the Department of Foreign Affairs, Mr. Von Ryan Pangwi, Acting Director.

That is it for our resource persons for today, Your Honor.

THE CHAIRPERSON. Thank you, ComSec.

Moving on to the next item in our agenda for today, we have here the minutes of the previous meeting.

Do I hear a motion?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. May I respectfully move that we dispense with the reading of the minutes of the previous meeting and consider it as approved. So moved, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

REP. ABANTE. Second.

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REP. AMPARO MARIA J. ZAMORA. Second.

THE CHAIRPERSON. Duly seconded.

Is there any objection? Hearing none, the motion is carried.

THE ACTING COMMITTEE SECRETARY. Your Honor.

THE CHAIRPERSON. The reading of the minutes of the previous meeting is dispensed with and is hereby approved.

THE ACTING COMMITTEE SECRETARY. Your Honor. May I be recognized, Your Honor?

THE CHAIRPERSON. Yes, the ComSec is recognized.

Your Honor, we have today present 10 regular Members and 4 Ex Officio. There is a quorum, Your Honor.

THE CHAIRPERSON. Okay. There is a quorum. Noted.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. Since we are nearing the...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. ACOP. (Continuing)...nearing the 60-day period of our hearing, may I move that, pursuant to Section 15 of the Rules of Procedure Governing Inquiries in Aid of Legislation, requiring a committee to terminate an inquiry within 60 days... 60 calendar unless a majority vote of the members present, there being a quorum, the committee deems it necessary to extend such inquiry, may I therefore move to extend the period of inquiry in aid of legislation of the Committee on Good Government and Public Accountability of the subject inquiry. So moved, Mr. Chair.

REP. ZIA ALONTO ADIONG. Second.

REP. ABANTE. Second.

THE CHAIRPERSON. The motion is duly seconded. Is there any objection? Hearing none, the motion is carried. The Committee hearing of the Committee on Good Government and Public Accountability is extended.

Thank you.

We will now proceed to the next item in our agenda.

Magandang umaga sa inyong lahat. Welcome to the 4th Public Hearing of the House Committee on Good Government and Public Accountability.

Before we start, we thank our guests, resource persons, and witnesses for understanding why we had to postpone the previously scheduled hearing on October 28. Ito ay upang matulungan bumangon muli ang ating mga kababayan na lubhang nasalanta ng Bagyong Kristine. Naririto tayo ngayong araw upang talakayin muli ang isyu ng pondo ng bayan, pondong mas nailagak sana sa mga kababayan nating naapektuhan ng mga nakalipas na bagyo.

Earlier this year ay pumasa sa Kamara at inaprubahan ang Republic Act No. 12009 o ang New Government Procurement Act. Binabalangkas ng batas na ito ang mga pundasyon ng government procurement, kabilang dito ang prinsipyo ng... prinsipyo ng transparency, competitiveness and participatory. Ngunit pagdating sa confidential funds, binabalanse ang prinsipyo ng transparency sa national security. Kung kaya't kapag confidential funds na ang pinag-uusapan, hindi basta-bastang nalalaman kung saan ito ginagamit at kung kanino dapat bumili.

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This Committee, however, recognizes that confidential funds are necessary to ensure safety and national security. Ngunit dahil ang confidential funds ay natural na palihim kung gamitin, madaling maabuso ang paggamit nito, lalo na kung hindi mahigpit ang patakaran sa paggastos nito. Natural lamang na ang mga pagkakalooban ng confidential funds ay mga ahensyang mapagkakatiwalaang gagamitin ito para sa mga programang pangseguridad ng bansa.

Ito ang pakay ng inquiry ng Komiteng ito, inaalam natin kung: number one, saan at paano puwedeng pagsamantalahan ang confidential funds; number two, ano ang ahensiya ng pamahalaan ba ang karapat-dapat pagkalooban nito; at, ang ikatlo, ano ang dapat ilagay sa batas upang maiwasang maabuso ang paggamit nito upang protektahan ang kaban ng bayan mula sa mga abuso?

Ganoon na lamang ang pagkadismaya marahil ng karamihan sa mga natutuklasan natin dito sa House Blue Ribbon Committee. Nakita natin dito kung paano ginamit at ginastos ng Office of the Vice President at ng Department of Education ang pondong kompidensyal *(confidential)* na ipinagkaloob sa kanila sa mga taong 2022 and 2023. Marahil puwede nang masabing improper ang gamit sa confidential funds ng mga ahensiyang ito.

Upang mas mabigyan pa tayo ng linaw, nararapat na masagot ang katanungang ito—anong nangyari sa pera ng taong-bayan? Masasagot lamang ito ng dalawang tao. Una, ang head of agency, which, in the case of both, the OVP and the DEPED, is the Vice President; at, ikalawa, ang Special Disbursement Officer, SDO, na sila Ms. Gina Acosta para sa OVP at Mr. Edward Fajarda para sa DEPED. Ngunit ni isa sa mga ito ay hindi nagpapakita sa atin.

Pakipakita po iyong slides.

THE ACTING COMMITTEE SECRETARY. Your Honor, the Information Technology Department is having difficulty in flashing it. There you go, Your Honor.

THE CHAIRPERSON. Dito po makikita po natin iyong dalawang slides na nagpapakita po ng matrix kung papaano po ginamit ang 2022 and 2023 OVP and DEPED Confidential Funds na na-release, in-encash, at ni-liquidate

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ng Vice President at SDOs, indicate other signatories to the DVs, checks, LRs and ARs, and their relationship to the VP.

Ang tumetestigo lang sa ating imbestigasyon ay sina former Usec Gloria Mercado at Usec Annalyn Sevilla mula sa DEPED. Ang dating SDO ng DEPED na si Edward Fajarda ay napag-alaman naming lumipat na sa OVP. Hindi maiiwasang magtaka ang iba na bakit OVP at DEPED lang ang nakasalang sa usapin ng confidential funds. We have to start somewhere. At dahil nasimulan na natin ito, nakita natin na ang mga kaduda-dudang justification sa gastos para sa safe houses worth 16 million for 11 days at 15 million para sa Youth Leadership Program kung saan pondo naman pala ng Philippine Army ang ginamit.

Our inquiry does not end with 15, or 16 million, or 73 million. Sa totoo lang, 612.5 million ang kabuuang halaga ng confidential fund ang ibinigay sa OVP and DEPED sa loob ng dalawang taon. Dito po makikita po natin ang graph showing disbursement of... of OVP and DEPED totaling 612.5 million. Nasaan na ngayon ang 612.5 million? Sino ang gumastos nito at para saan ito ginastos? Dahil dinis-allow *(disallow)* ng COA ang 73 million Confidential Funds ng OVP, ating siniyasat kung bakit ito nangyari, saan napunta, at paano ito ginamit. Ngunit kung susumahin ang lahat ng confidential funds ng OVP at DEPED, ito ay abot sa higit kalahating bilyong piso o 612.5 million.

Base sa salaysay ng mga testigo at mga dokumentong nakalap, lumalabas na pawang hindi kapani-paniwala, haka-haka, o gawa-gawa lamang ang mga proyekto at programang pinaglaanan at ginastusan ng confidential funds. Kumbaga, bogus, dahil hindi maipaliwanag kung saan ito talaga mga napunta.

Sa mga nakaraang tatlong pagdinig ay natuklasan natin ang mga sumusunod: una, para po sa taong 2022, kasama sa 125 million Confidential Funds ng OVP na ginastos sa loob lang ng labing-isang araw ang 16 million nito ay ginastos para sa upa at maintenance ng 34 safe houses. Sa 16 million na ito, makikitang may isang safe house na ginastusan ng isang milyon base sa mga acknowledgement receipt para lamang sa apat na araw. Lumalabas na 250 thousand per day ang upa at maintenance nito. Marahil, kahit mag-check in ka pa sa pinakamahal na hotel dito sa bansa, ay hindi aabot nang ganitong kalaki ang iyong bill.

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Para sa taong 2023, the OVP spent Confidential Funds amounting to 125 million for the first three quarters or a total of 375 million. The OVP spent for safe houses alone 16 million in the first quarter, 16 million in the second quarter, and 5 million in the third quarter.

Next slide, please.

Dito po makikita po natin, emphasizing the amounts spent for safe houses in relation to the months it supposedly covered. Talaga bang kinakailangan...

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THE CHAIRPERSON. (Continuing)...kinakailangan nila iyong mga safe houses na ito? Legitimate po ba iyong paggastos nila dito? Bakit kaya hindi na sila gumastos para sa safe house sa buong taon ng 2023?

Pangalawa, aside from the anomalous and unreasonable amounts paid for the safe houses, for the other expenses po na ginamitan ng Confidential Fund ay may similar pattern, hindi reasonable ang halaga at mas Malala, ay umabot ng 612.5 million ang gastos na suportado lamang ng acknowledgment receipts with only basic details which can be easily faked.

Pangatlo, napag-alaman din natin na ang certifications mula sa infantry battalions ng Philippine Army ay ginamit upang palabasing may natanggap na mahigit 15 million ng Confidential Funds ang Army mula sa DEPED. Subalit mariing pinabulaanan ito ng mga mismong pumirma sa mga certifications. Hindi rin alam ng ating mga sundalo na ang kanilang certifications ay gagamitin ng DEPED upang suportahan ang paggasta sa kanilang Confidential Funds. Saan na ba talaga ginastos at napunta ang pera kung hindi naman pala ito ginastos para sa Philippine Army?

In Audit of...Memoran... Audit Observation Memorandum No. 2024-015, dated February 1, 2024—first AOM—the COA flagged the report—payment of rewards to the informers in the amount of 7 million 509 thousand in the first quarter of 2023 and 8 million 31 thousand in the second quarter of 2023—because these expenditures were not supported with required documents. In sum, these amounts to 15 million 540 thousand of public funds. Walang ebidensiya kung saan ginastos, at walang kongkretong pagpapatunay na ito ay ipinamigay bilang gantimpala sa mga taong nakapagbigay ng mahalaga at makatotohanang impormasyon maprotektahan ang ating mga kabataang estudyante.

Sa nakaraang pagdinig at nagmula kay Attorney Poa, utos kay Usec Mempin, upang humingi ng katibayang maibibigay sa COA upang patotohanan ang paggastos sa Confidential Funds. Si Usec Mempin naman, na dating Commander ng Task Force Davao, ang humagilap ng certifications at ginamit na nga ito ni Attorney Poa sa pagsagot sa first AOM ng COA. Sinabi ni VP Duterte sa kanyang letter, dated April 17, 2024—first AOM response—na hinanda ni COS Poa, the 15 million 540 thousand was used for financial rewards given to informers for leads and/or integral information received which supposedly allowed the DEPED to formulate narrowly targeted programs, information campaigns, and

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intervention against recruitment, violent extremism and other criminal activities in specifically identified communities.

Pinapalabas sa sulat na kabilang sa mga programang kanilang pinormyoleyt *(formulate)* ay ang Youth Leadership Summit o YLS and Information Education Campaign, IECS. Ngunit ito ay tahasang pinabulaanan ng mga AFP officers na pumirma sa mga certifications na hingi… na hiningi ni Usec Mempin.

Pang-apat, lahat ng mga testigong humarap sa Kamara ay nagsabing hindi nila alam nasaan ang pera at saan pumunta ang pera. As stated by Attorney Poa, when it comes to confidential funds, only two persons can answer the question: the VP, herself; and the Special Disbursing Officer, Mr. Edward D. Fajarda. Subalit wala na si Mr. Fajarda sa DEPED; siya ay nasa OVP na, at kabilang sa mga tumatangging humarap sa ating pagdinig. Marahil, mas makabubuting kung sa halip na mag-presscon ay dumalo na lamang sa ating mga pagdinig upang harapin ang mga katanungang ito—under oath—kabilang ang kanyang mga tauhan.

May paliwanag o wala, isa lang ang tiyak na sagot: malamang, hindi napunta ang Confidential Fund sa mga estudyante, pati sa kanilang siguridad. The numbers drawn came from the very document submitted by the Vice President.

To close, I emphasize, that the discoveries made by the Committee is just the tip of the iceberg. Marami pa po tayong kailangan malaman at mahalagang dapat malaman kung saan napunta. Malinaw na madaling abusuhin ang confidential fund kung masyadong maluwag ang mga panuntunan sa paggamit nito. COA has been basically reduced to the ministerial task of checking whether the documents required to be submitted with respect to the confidential expenses are complete without even checking the veracity of the information contained in these documents compared to the audit of regular funds, where transactions need further substantiation. This must be addressed to prevent not only leakage of government resources but to close an avenue for graft and corruption. The mission of the Committee is to craft a bill considering these relevance… these revelations to regulate and ensure the proper use of confidential funds.

Maraming salamat po.

I now call on the ComSec to provide the Committee an update on the invitations, requests, correspondences, submissions and compliances.

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THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

Before that, I would like to recognize the presence of our Member, Honorable Loreto S. Amante of the 3rd District of Laguna and Honorable Arnan C. Panaligan, 1st District of Oriental Mindoro.

Your Honor, for today's attendees, we have invited: Colonel Raymund Dante P. Lachica of the VP...VPPSG *(VPSPG)*. However, he sent his regrets stating that he cannot attend due to prior equally important commitment. Mr. Morales is also the same, Your Honor, he cannot attend today.

The Land Bank of the Philippines was invited. They have sent a list of their delegates: AVP Nenita Camposano, DOTC Branch; District... DM Joyce L. Eclavea, DEPED Branch; Attorney Rafael Christopher L. Yap, Special Legal Concerns. However, they are still not physically present in this hearing, Your Honor.

We are also in receipt of the position papers of the Office of the Vice President from the individuals who were subject of the *subpoena ad duces tecum* and from the invitees coming from the satellite offices, Your Honor. They are not present in today's hearing, Your Honor.

The Department of Budget Management... and Management were also invited. However, they have a hearing in the Senate today, and expressed their regrets in today's hearing, Your Honor.

For the *subpoena ad duces tecum*, Your Honor, it was... service was refused. It was served on November 2. However, physi... it was...

THE CHAIRPERSON. *Duces tecum* or *ad testificandum*?

THE ACTING COMMITTEE SECRETARY. Pardon, Your Honor, *subpoena ad testificandum.*

The Legislative Service Bureau of the Congress tried to physically serve it on November 2 to the DEPED. However, service was refused by the agency's security stating that they are no longer connected, particularly, the spouses Edward D. Fajarda and Attorney Sunshine Charry A. Fajarda. It... When it was served to the Office of the Vice President in their Office in Mandaluyong, the security of the building, himself, said that he will not accept it. It was again served yesterday, November 4, but the Legal of the OVP refused to actually receive the *subpoena ad duces tecum*, Your Honor. But it was sent to their email last night.

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Please do note that the hearing was... of October 28 was postponed due to the Typhoon Kristine as per earlier stated by Your Honor.

Thank you, Your Honor.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Yes, the Chair would like to recognize the Senior Vice Chair...

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THE CHAIRPERSON. (Continuing)...Senior Vice Chair...

REP. ABANTE. Who is...

THE CHAIRPERSON. ...Bienvenido Abante.

REP. ABANTE. I just would like to find out who... who is the one that did not accept the letter and what is his position?

THE CHAIRPERSON. ComSec, please... please answer the query of Congressman Abante.

THE ACTING COMMITTEE SECRETARY. Your Honor, this is based on the report of the Legislative Service Bureau. From the Legal Department of the Vice President, they were in coordination with her, Attorney Emily Torrentira, she was the one who refused to accept the subpoena, Your Honor.

REP. ABANTE. Mr. Chair, is there any reason why she refused to accept the invitations? Did she give any reason, Mr. Chair?

THE CHAIRPERSON. What is the reason?

THE ACTING COMMITTEE SECRETARY. Your Honor, the Office of the Vice President submitted a position paper dated today, signed by the individual subject of the *subpoena duces tecum*. Part of their excuses was that to follow the procedure... that they *subpoena*... service of *subpoena* procedure under the rules. However, they stated here that there was no *subpoena* received, but they refused to receive the same, Your Honor.

Second justification, Your Honor, the subject matter of the deliberation is not in aid of legislation and violative of the rights of the resource persons. They also raised jurisdictional issue and their right to decline invitations.

And lastly, *sub judice* because of pending cases in the... a pending case in the Supreme Court, Your Honor.

The position paper, respectfully submitted November 5, 2024, were signed by the following individuals: Attorney Zuleika T. Lopez; Attroney Emmanuel Lemuel G. Ortonio; Attorney Rosalynne L. Sanchez; Julieta L. Villadelrey; Gina F. Acosta, Attorney Sunshine Charry A. Fajarda; and Mr. Edward D. Fajarda, Your Honors.

There is another second position paper. However, this pertains to the satellite offices, the lead managers of the satellite offices and not subject of the *subpoena*, Your Honors.

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REP. ABANTE. Mr. Chair, did these people who have been invited wrote to us a personal letter why they cannot attend or it was just more of a... the person that actually said that they cannot accept the invitation?

THE ACTING COMMITTEE SECRETARY. Your Honor, it was not signed by the person who state... who refused to actually receive yesterday. It was signed by the subject of the *subpoena ad duces tecum* Your Honor, the subjects of the *subpoena.*

REP. ABANTE. Are all of these invited, Mr. Chair, still active in the Vice President's office or they... they were actually working with the Vice President in the DEPED? Are they now working with the Vice President in her office as Vice President, Mr. Chair?

THE ACTING COMMITTEE SECRETARY. Pardon, Your Honor. I would like to correct my statement. It was *subpoena ad duces...*

THE CHAIRPERSON. *Ad testificandum.*

THE ACTING COMMITTEE SECRETARY. *...ad testificandum*, Your Honor.

For the position paper, Your Honor, the Committee and the Secretariat has information that AttORNEy Sunshine Charry E. Fajarda was formerly an ASec of the Department of Education. In the previous hearing, the position paper she submitted to the Committee was... did not use the header of the Office of the Vice President. However, from the start of our hearings, Your Honor, Mr. Edward D. Fajarda, formerly the SDO of the Department of Education, submitted his position papers under the header of the Office of the Vice President. It was only today, in view of this position paper submitted today, that the Secretariat was made aware that Attorney Sunshine Charry A. Fajarda is now with the Office of the Vice President considering that she signed her name here under the header of the OVP.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. As to the question of Congressman Abante, with respect to the status of this subject, siguro we can ask the former Undersecretary or the Spokesman of the Vice President, Attorney Poa, if... Are you still connected with the... well, I understand that you are no longer connected with DEPED, but how about in the Office of the Vice President, are you still connected?

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MR. MICHAEL WESLEY T. POA (Former Head of Procuring Entity, Department of Education). Good morning. Good morning, Mr. Chair.

THE CHAIRPERSON. Yes.

MR. POA. I would like to inform the Honorable Committee that I am no longer connected po with the Office of the Vice President. Hindi na po ako… iyong consultancy contract ko po was already pre-terminated, Your Honor.

THE CHAIRPERSON. Not even as a spokesman?

MR. POA. Wala na rin po ako as spokesperson…

THE CHAIRPERSON. Okay but…

MR. POA. Opo.

THE CHAIRPERSON. But are you aware of the status of the people who are subject of the subpoena?

MR. POA. Opo.

THE CHAIRPERSON. Are they still connected?

MR. POA. Honestly, Your Honor, when I was still there, yes, they were connected with OVP. Although, as of today, hindi ko na po talaga masabi factually if they are still connected or not. I would assume, because of the position paper with the letter head, that they are still connected. But I cannot confirm that because nagpaalam po ako, ano pa po, eh, nagpaalam po ako na umalis prior pa po to the previous hearing that we had, Your Honor.

REP. ABANTE. Mr. Chair, I assume that…

THE CHAIRPERSON. Yes, Congressman Abante.

REP. ABANTE. …that Attorney Poa knows all of these people personally, hindi ba?

MR. POA. Yes, Your Honor. Yes, Sir.

REP. ABANTE. Oo. So, therefore, siguro at present alam mo pa rin kung sino iyong connected kay Vice President.

MR. POA. Yes, Your Honor.

REP. ABANTE. Who are… Who are those people still connected with the Vice President…

MR. POA. Your Honor, as far as…

REP. ABANTE. …as far as you know it?

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MR. POA. ...as far as I know, those people are still connected with the Vice President. Although, as of today, I really do not have personal knowledge. But as far as I know, they are still connected with the OVP.

REP. ABANTE. Mr. Chair, how about Ms. Lopez, is she still connected?

MR. POA. As far as I know, Your Honor.

REP. ABANTE. Mr. Gonzaga?

MR. POA. Gonzaga…

REP. ABANTE. Emmanuel Gonzaga Ortonio.

MR. POA. Ah, yes, your Honor, as far as I know.

REP. ABANTE. How about Rosalynne Ladore Sanchez?

MR. POA. As far as I know, Your Honor.

REP. ABANTE. Gina Acosta?

MR. POA. I don't have any interaction po with her, but when I was there, yes, I know that she was connected with the OVP.

REP. ABANTE. How about Julieta Villeadelrey?

MR. POA. As far as I know, Your Honor.

REP. ABANTE. How about Edward Fajarda?

MR. POA. Yes, as far as I know.

REP. ABANTE. And Sanya… Sunshine Charry Fajarda?

MR. POA. As far as I know as well, Your Honor.

REP. ABANTE. Mr. Chair, I would… I would assume that if all of these are connected with the Vice President, it is the Vice President herself that asked them not to attend this hearing.

THE CHAIRPERSON. So, may I know if all these subject persons that were mentioned by the Honorable Abante are still… do you have any travel… any travel update?

THE ACTING COMMITTEE SECRETARY. Your Honor…

THE CHAIRPERSON. Are they still… yes, Congressman...

REP. ADIONG. Mr. Chair, may I also… Mr. Chair.

THE CHAIRPERSON. Congressman Zia.

REP. ADIONG. Yeah. Thank you very much, Mr. Chair.

In line with the question of Chairman Abante, well, I'd like also to ask Attorney Poa because he mentioned certain number of names and you confirmed

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that they are still connected with the Office of the Vice President, would you also know if an individual by the name of Kelvin Teñido and Ma. Edelyn Rabago are still also connected with the Office of the Vice President?

MR. POA. Your Honor, I...

THE CHAIRPERSON. Attorney Poa, please...

MR. POA. Sorry, Mr. Chair.

THE CHAIRPERSON. Please respond.

MR. POA. Opo. Your Honor, I am not familiar with them because when I was spokesperson I only dealt with the upper management. Although iyong Mr. Kelvin, I think I recall his name...

REP. ADIONG. Yeah.

MR. POA. ...although I cannot, in all honesty, say if he is still connected or not.

REP. ADIONG. But while... when... when... the time that you were connected with the Vice President, you were... did... have you met these people?

MR. POA. Briefly...

REP. ADIONG. Would you say that... yeah.

MR. POA. ...Briefly, Your Honor, because of the budget hearings that time, opo.

REP. ADIONG. Okay. Are they... Are they carrier officers of OVP?

MR. POA. I... I honestly would not know, Your Honor.

REP. ADIONG. Okay. Thank you.

MR. POA. Kasi I was only a consultant, Your Honor, so I beg your indulgence on that.

REP. ADIONG. Yeah. Okay. Thank you, Attorney.

Thank you, Mr. Chair.

REP. JOSEPH STEPHEN "CARAPS" S. PADUANO. Mr. Chairman, just for...

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. ...just to clarify things because we're discussing some other names mentioned by Members or colleagues, 'no, Members of this Committee. While we have received already the... the official position of... from

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the Office of the Vice President and was signed by one, two, three, four, five, seven persons subject of a *subpoena ad testificandum*...

THE CHAIRPERSON. Yes.

REP. PADUANO. ...So, Mr. Chairman, ganito na lang po because, reading on the documents, 'no, that was... as reply and excuse of... from the Office of the Vice President, signed by these seven persons cited... issued by *subpoena ad testificandum*, a certain Attorney Lopez, Lemuel Ortonio, Attorney Sanchez...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. PADUANO. (Continuing)...Attorney Sanchez, Julieta Villadelrey, Gina Acosta, and the spouses Sunshine and Edward Fajarda.

Now, Mr. Chairman, while... while question of being absent in today's hearing was already discussed and answered by this Honorable Committee unless, otherwise, some of the Members will discuss it once again with regards to question of *sub judice*, question of jurisdictional issue, and the right to decline invitation, but one thing is important, Mr. Chairman, that they invoked the question of the three-day rule, which is our internal rules.

So, Mr. Chairman, now to be safe, for this Committee to be safe, may I respectfully move na lang, Mr. Chairman to, once again, issue *subpoena ad testificandum* to all those mentioned names, 'no, to all those mentioned names and was issued previously a *subpoena ad testificandum* to be present in the next hearing, Mr. Chairman. So moved, Mr. Chairman.

THE CHAIRPERSON. Yes, Deputy Speaker Suarez.

REP. SUAREZ. Second.

THE CHAIRPERSON. Well, actually...

REP. PADUANO. Mr. Chairman, before...

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. ...with the indulgence of the Members and the good Chairman. Mr. Chairman, to expedite discussion with regards to the question... matters at hand, may I just respectfully submit, Mr. Chairman, my official position with regards to the position or reply by the Office of the Vice President just to expedite discussion, Mr. Chairman. Just for the record, Mr. Chairman, I will just submit my position with regards to *sub judice*, with regards to question of the three-day rule, and the four reasons why those seven OVP officials are not present in today's hearing.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Noted.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Abante.

REP. ABANTE. According to the Committee Secretary, these people...

REP. PADUANO. *Ad testificandum*.

REP. ABANTE. ...have been invited four times but they failed to attend.

THE ACTING COMMITTEE SECRETARY. Yes, Sir.

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REP. ABANTE. As I am… I, you know, I …I'm so glad for the kindness of Congressman Paduano in inviting them again for the fifth time. Now, Mr. Chair, if they will not come for the fifth time, then I might make a motion to… to hold them in contempt because this is the fourth time. This is… This is unfair to these people here who have attended every time that they are called upon. And then… And then, we're just going to do nothing about these people here who have been invited four times? It's unfair. Unfair for us, too, that we are here in this hearing and these people are… kept on insulting us, Mr. Chair.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. Thank you, Mr. Chairman.

With the manifestation made by… by the Honorable Vice Chair Abante with regards to the issuance of *subpoena ad testificandum*, let's cross the bridge. I think, Mr. Chairman, let's cross the bridge when we have the next hearing, 'no. Tingnan po natin. But, of course, we will just comply with our internal rules with regards to the three-day rule. But question of due process with regards to invitation, Mr. Chairman, that is very clear that we have invited them for the… four invitations.

So, I… I really join the sentiment of Vice Chair Abante but, as of now, we cannot discuss about it since we have to comply with our internal rule, this three-day rule, Mr. Chairman.

Thank you.

THE CHAIRPERSON. Yes. Before I make my ruling, I would just like to make a short manifestation. I'm totally in agreement with the manifestation of Congressman Abante. And, in fact, the fact that all the other resource persons are present in today's hearing—bakit naman po sila naka-attend, iyong iba, eh, hindi maka-attend?—But, of course, for… para po mawala na lang po iyong mga agam-agam, and also to… just like what Congressman Paduano said, to accommodate and in view of our three-day rule, we will just reissue another subpoena with the stern warning that the next time that they fail to attend, we will be constrained to issue a much heavier penalty.

Considering that there is a motion, which was duly seconded by Congressman… with Deputy Speaker Suarez, is there any objection? Hearing none, the motion is carried.

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The Com…

REP. SUAREZ. Mr. Chairman.

THE CHAIRPERSON. Yes, Deputy Speaker Suarez.

REP. SUAREZ. Yeah. I just want to make a quick manifestation.

Unang-una ho ay pinapangalawahan ko po iyong posisyon ni Congressman Abante patungkol po sa mga taong iniimbitahan ng Komiteng ito upang magbigay ng impormasyon, pagpapaliwanag sa mga usapin na pinag-uusapan natin. Kung hindi po ako nagkakamali, Mr. Chairman, pang-apat na hearing na po natin ito. Tama po ba ako?

THE ACTING COMMITTEE SECRETARY. Yes, Sir.

REP. SUAREZ. This is our fourth hearing. I'm sure a great number of the Filipino people know what we're talking about. I'm sure the Office of the Vice President know what we're talking about. I'm sure the officials of the DEPED know what we're talking about. And being public servants, whether you're elected or you're appointed, it is part of your duty to make sure that you exercise transparency and accountability in the exercise of your duties and functions. Now, as an appointed official, having that oath that you have taken, 'pag mayroon pong mga patawag na ginagawa ang Kongreso—maging ang Senado at ang Mababang Kapulungan—obligadong um-attend sila dahil napakahalaga po ng kanilang ibabahagi sa ating mga pinag-uusapan.

So, alam ko naman po ay nakikinig iyong mga iniimbitahan natin na ayaw sumipot, pakiusap ko lang po sa kanila, para naman matapos na po ito at makapagpatuloy na po tayo sa ilang bahagi. Ang habol lang naman po natin dito ay katotohanan, pagpapaliwanag lang kung paano ba ginastos iyong pera. Hindi naman siguro masyadong mahirap ipaliwanag kung tama naman po ang paggastos ng pera.

So, sinusuugan ko po iyong posisyon ni Congressman Paduano na pagbigyan natin muli ng, sige, isa pa, isa pang pakiusap. Tulad na lang ng ginawa natin noong budget hearing, pinagbigyan na naman natin ng isa pang pagkakataon para humarap sa Plenary. Kaso lang, sana naman po, ito na ang huling pagkakataon na ibibigay natin dahil mahalaga po ang oras natin, mahalaga po iyong oras ng mga taong pumupunta dito. Ako po ay nakikiisa sa pasasalamat sa inyong lahat dahil alam ko naman po ay inaabot po tayo minsan dito ng walo, sampung oras sa pagdinig, but

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you give time. You open up your schedule because you know the importance and the significance of these hearings.

So, again, Mr. Chair., I just wanted to manifest that. that I am very disappointed with the position of our invited guests for, again, for the fourth time not attending our hearing. And I do hope that when we do issue the subpoena tomorrow, we can take our proper action.

Now, my question, Mr. Chair, is what other legal remedy does the Committee possess insofar as to secure, number one, if our resource persons are still in the Philippines; number two, to avoid flight; number three, to ensure that their presence will be here in the following hearing?

THE CHAIRPERSON. Thank you.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Abante.

REP. ABANTE. In relation to the question of my good friend, Congressman Jay-Jay Suarez, nakalagay po dito sa pinadala sa atin na information that only Zuleika Lopez departed on November 4; Emmanuel Gonzaga Ortonio arrived November 20; Rosalyn Lagores Sanchez arrived May 21; Juliet Villadelrey arrived October 5; Edward Fajarda and Sunshine Charry Fajarda arrived June 25. Now, wala pa naman po silang naka-report na umalis... umalis sila uli...

(MS. FLORISA M. PADA TOOK OVER)

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REP. ABANTE. (Continuing)...umalis sila ulit. Sa palagay ko po, hindi lang talaga...I just would like to manifest, Mr. Chair, na napakabait po ng Committee on Good Government for giving them the chance for the fifth time to attend. Sana naman po ay hindi na kami ipahiya dito sapagkat para bang nararamdaman ko na umiiwas sila na tanungin kung paano ginamit ang pondo ng ating pamahalaan na dapat nilang linawin sa Komiteng ito. Sapagkat tayo po ang binigyan ng mandato ng Konstitusyon upang ating busisiin ang pondo na ginagamit ng bawat ahensiya ng gobyerno, Mr. Chair.

Kaya sa akin po, nakaka-disappoint sapagkat dapat ipaliwanag, hindi lamang sa ating Komite, dapat ipaliwanag sa taong-bayan kung papaano ba ginamit ang pondo ng taong-bayan, Mr. Chair.

THE CHAIRPERSON. Maraming salamat...

REP. RAOUL DANNIEL A. MANUEL. Mr. Chair.

THE CHAIRPERSON. ...Maybe we can...

REP. ADIONG. Mr. Chair.

REP. MANUEL. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Zia.

REP. ADIONG. I just like to inquire, since we are on the subject of issuing *subpoena ad testificandum* to certain individuals, may we also inquire from our ComSec, have we also sent invitation to Mr. Kelvin Gerome Teñido and Maria Edelyn Rabago? These are, I believe, career officers in the Office of the Vice President. Have we sent them invitation in the previous Committee hearings?

THE ACTING COMMITTEE SECRETARY. Your Honors, in the previous Committee hearings, Mr. Kelvin L. Teñido was... Gerome Teñido was invited. Ms. Raba... Rabago was first-time invitee...

REP. ADIONG. Okay.

THE ACTING COMMITTEE SECRETARY. ...Your Honor.

Your Honor, may I proceed with recognizing some Members first, Your Honor?

REP. ADIONG. Yes, please. Thank you.

THE ACTING COMMITTEE SECRETARY. Okay.

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Honorable Franz S. Pumaren, Deputy Majority Leader, from the 3rd District of Quezon City is present, Your Honor, as well as Honorable Ed Christopher S. Go, Deputy Majority Leader, 2nd District of Isabela, Your Honor.

REP. ADIONG. Yes. So, how many times did they refuse to appear before these Committee hearings?

THE ACTING COMMITTEE SECRETARY. For Mr. Kelvin Gerome Teñido, Your Honor, this is the second time. For Ms. Rabago, this is the first time, Your Honor.

REP. ADIONG. Okay.

Mr. Chair, I'd like to request… I'd like to ask, Mr. Chair, how many times would the Committee allow for certain invitees not to appear in the Committee hearings before we can issue a *subpoena* for them to be mandated and obligated to appear before these Committee hearings?

THE ACTING COMMITTEE SECRETARY. Your Honor, under the Rules on inquiries, witnesses, resource persons, and guests are allowed two unjustified absences, Your Honor.

REP. ADIONG. Have they sent us justification or a reason for their not attendant… not attending in the previous Committee hearing? Did we receive any letter, excuse letter from them?

THE ACTING COMMITTEE SECRETARY. No excuse letters, Your Honor. Only position papers refusing to attend, Your Honor, based on the points raised in the current position paper that we have. It has been reiterated from day one of the other members or officials of the Office of the Vice President, Your Honor.

REP. ADIONG. Thank you, Mr. Chair… ah, thank you, ComSec.

I'd like to reiterate again the manifestation of Deputy Speaker Jay-Jay Suarez that we have been very lenient to these individuals. So, if we have not received any justification or excuse letter for them not to attend before this Committee, and I believe these individuals that I have mentioned have already been received invitation in the previous Committee hearings, perhaps we can also… well, I would suggest to the Committee that we can also include them, issue them a *subpoena ad testificandum* so that they may be required to appear these Committee hearings. Because I believe these… their testimonies would be material for this Committee to arrive in a sound judgment once we file our resolu… once we file our Committee

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Report para po maintindihan natin nang buo, comprehensively understand, kung ano po iyong pinag-uusapan natin dito.

So, Mr. Chair, again, I will submit to the Committee, to the Chair whether or not these individuals would also be included in the *subpoena ad testificandum* that we will be issuing in... probably tomorrow, Mr. Chair.

REP. MANUEL. Mr. Chair.

REP. PADUANO. Mr. Chairman.

REP. ADIONG. Yes. That's a... But if not... if... I... Again, I would subscribe to the decision of this Committee, to the... to the Chairman, since being that they have already this... they have already refused to attend.

This is the second time, 'no, or the third time na, 'no, ComSec? The second time.

REP. PADUANO. Chairman.

THE CHAIRPERSON. Is there any... Is there any motion?

REP. ADIONG. Well, Mr. Chair, if... if given the ano, 'no, I would... I would move that these individuals be included in the *subpoena* that we will be issuing, Mr. Chair, this Committee will be issuing.

THE CHAIRPERSON. Is there any...

VOICE. Second.

THE CHAIRPERSON. ...second to the motion?

VOICE. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

REP. MANUEL. Mr. Chair.

THE CHAIRPERSON. ComSec, please include...

REP. ADIONG. Thank you very much, Mr. Chair.

THE CHAIRPERSON. ...the names Kelvin Teñido and Edelyn Rabago to the *subpoena ad testificandum*.

THE ACTING COMMITTEE SECRETARY. Noted, Your Honors.

May I please continue with the update for the resource persons, Your Honor.

THE CHAIRPERSON. Yes, please include... could you please also update this Committee if the lookout bulletin that we requested to the bureau of... to the DOJ has already been released?

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THE ACTING COMMITTEE SECRETARY. Yes, Your Honors.

In coordination with the Bureau of Immigration, who were invited today, Your Honor, however, they are unable to attend. Nevertheless, they sent to us the latest travel records of the persons subject of the *subpoena ad testificandum,* which has been distributed to Your Honors.

As to the ILBO or Immigration Lookout Bulletin Order, I was updated by Attorney Vicente Uncad of the Bureau of Immigration that they have not yet received an ILBO. However, it... per... per news reports, the request is already with the SOJ and are... is awaiting for his signature, Your Honor.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Congressman Abante.

REP. ABANTE. Perhaps it would also be better for us to invite Attorney Vicente Uncad to give us the information about these people that we have invited, 'no, on their travels, Mr. Chair.

THE CHAIRPERSON. Please take note of the manifestation of Congressman Uncad, ComSec.

THE ACTING COMMITTEE SECRETARY. Noted, Your Honors.

Attorney... Actually, it was actually Attorney Vicente Uncad who signed the... the informa... the travel records, Your Honor, in your hand. However, he is in... he is engaged right now that's why... in an equally important matter. Nevertheless, he sent this document, Your Honor, and he will be invited again in the next hearing, Your Honor.

THE CHAIRPERSON. Lahat po ba itong subject ng ating *subpoena* ay nasa Pilipinas pa o mayroon... ano iyong mga travel record nila?

THE ACTING COMMITTEE SECRETARY. Your Honor, per coordination or in coordination with Attorney Uncad, all the seven of which we... of whom we have requested travel records, only one left the country last night. Per information received, Attorney Zuleika T. Lopez entered the immigration gates of the airport last night at 7:31 p.m., aboard flight PR102, Manila to Los Angeles. The rest are still in the Philippines. However, for Ms. Gina F. Acosta, considering that she has many multiple namesakes, the Bureau of Immigration is unable to provide information as to her latest travel records, Your Honor.

REP. ABANTE. Mr. Chair.

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THE CHAIRPERSON. Congressman Abante.

REP. ABANTE. What… What do you mean "multiple namesakes"? So, ibig sabihin, si Gina Acosta has a lot of aliases given?

THE ACTING COMMITTEE SECRETARY. Your Honor, she may have had many kaparehong pangalan, Your Honor, Gina F. Acosta…

REP. ABANTE. Ah, kaparehong pangalan.

THE ACTING COMMITTEE SECRETARY. …Yes, opo.

REP. ABANTE. Oo.

THE ACTING COMMITTEE SECRETARY. Hence, the Bureau of Immigration requested for birthplace or any other distinguishing detail to be provided in order to obtain specific records for Ms. Gina F. Acosta of the OVP.

REP. ABANTE. Mr. Chair, mukhang maraming pera itong mga ito dahil nagta-travel palagi, eh, you know. Kaya't uulitin ko po, ha, uulitin ko, Mr. Chair, sapagkat, eh, medyo… medyo, alam niyo, hindi rin nakakatuwa na makita na apat na beses nang inimbitahan ito samantalang nakalagay sa Rules natin, dalawang beses lang, eh, and then, afterwards, we could be able to—what—issue a contempt order, 'no, pero ito, ha, pang-apat na kayong hindi naka-attend. Panglima na imbitasyon ito. So, nakikita niyo ang kabaitan ng Committee on Good Government na pinapangunahan ni Congressman Joel Chua.

So, nais kong sabihin ulit, ha, itong si Zuleika Lopez, Emmanuel Gonzaga Ortonio, Rosalynne Ladores Sanchez, Gina Acosta, Julieta Villadelrey, Edward Fajarda, Sunshine Charry Fajarda, huwag niyo naman kaming hahamunin, ano ho, ang Komiteng ito, na mag-issue na kami ng contempt order sa inyo. Sana mag-attend na kayo ngayon pong inimbitahan kayo ng panglimang beses. Sapagkat alam ko naman, Mr. Chair, nakikinig itong mga taong ito, eh. Hindi naman sila ignorante sa hearing na ito. Nakikinig po sila dito.

At kung naririnig ninyo po kami, nananawagan…

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. ABANTE. (Continuing)...nananawagan po kami sa inyo, ha, eh, mag-attend na kayo sa next hearing po natin, at inyo nang tanggapin ang aming pagiging mabait sa inyo so far, Mr. Chair.

REP. MANUEL. Mr. Chair...

REP. ADIONG. Mr. Chair.

REP. MANUEL. ...may I be recognized?

THE CHAIRPERSON. Congressman Alonto.

REP. ADIONG. Yeah. Mr. Chair, just... just a quick manifestation as well, just to reecho the sentiment of our colleagues here, Chairman Abante.

Mr. Chair, I noticed also their... the position paper that was sent to us by these resource persons that we have invited, that they have cited the Calida versus Trillanes case, as ruled by the Supreme Court. Mr. Chair, we... there's no... no portion in that ruling of the Supreme Court where it says that the invitation of a certain individual may not appear in the Committee proceedings. It merely imparts there in the ruling, Mr. Chair, that particular ruling by the Supreme Court, impart there that the Congress must, again, be conscious about the rights of the invited persons. Hindi ho naman sinasabi doon na may right na hindi pumunta. Wala pong... doon sa ruling na iyon, kasi iyon po iyong in-invoke nila na ruling na iyon sa kanilang response sa ating Komite, na wala pong sinasabi doon sa ruling na iyon na huwag silang pumunta.

In fact, ang sinasabi lang po doon ay nire-remind at sinasabi sa Congress na maging conscious tayo sa rights noong mga invited persons. In fact, Mr. Chair, refusal to attend a Committee hearing, Mr. Chair, constitute a violation under the Revised Penal Code, doon po sa Article 150, na ang penalty nito ay *arresto mayor*. In fact, we are being given and recognized by the Supreme Court that we have the mandate to... as part of our oversight functions, to really invite these persons and know exactly what, you know, the issues at hand, iyong expenditure noong public expenses.

So, I think alam nila iyan kasi they have invoked this ruling by the Supreme Court and they have cited this ruling. I am sure they have also consulted their lawyers. Kung hin... If they keep on refusing attending these Committee hearings, alam po ng kan... alam po ng mga abogado nila iyan na, in fact, it's a... under po doon sa Revised Penal Code, Article No. 150, talagang mayroon pong penalty diyan sa refusal doon sa mga invitation ng mga proper na binigyan ng mandato ng

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Constitution na mag-investigate, at mag-inquire, at mag-hold ng mga Committee hearings, such as what we are doing right now.

So, just to add context to the manifestation of Congressman Chairman Benny Abante po na dapat po alam po nila iyan because they have to consult their lawyers and they must appear before this Committee hearing, Mr. Chair.

REP. MANUEL. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Manuel, you are recognized.

REP. MANUEL. Thank you, Mr. Chair.

Mr. Chair, in connection din doon, dahil more than one time sinayt *(cite)* sa position paper ng mga opisyal ng Office of the Vice President iyong Calida versus Trillanes noong 2019. Mr. Chair, it is very disappointing for public officials representing the second highest office sa bansa natin na tsini-cherry-pick ang mga desisyon ng Supreme Court.

Mr. Chair, in addition sa nabanggit ng colleague natin, kaya naman tayo umabot sa *subpoena ad testificandum* at hindi na lamang simpleng imbitasyon kasi iyong mga input na gusto nating makuha mula sa mga opisyal na napangalanan ay crucial na mga impormasiyon at hindi na lamang optional or add-on na mga impormasyon in line with the topics of our investigation or inquiry. At saka, Mr. Chair, hindi nila sinayt *(cite)* na, actually, iyong petition noong nag-file versus kung sino iyong dapat sumagot, Mr. Chair, this Supreme Court petition was actually dismissed. Ibig sabihin, nag-favor iyong Supreme Court doon sa kapangyarihan ng Legislative bodies na mag-conduct talaga ng mga investigations in line with legislation, lalo na't iyong national budget ay isa iyan sa pinakapinagdedebatihan talaga ng mga batas dito sa ating bansa.

And, Mr. Chair, sa position paper kasi ang dami talagang palusot, eh, pero hindi pa maayos iyong mga palusot na binibigay at, actually, lalo lang na ina-undermine at hindi nirerespeto iyong trabaho ng mga Mambabatas, kinukuwestiyon na hindi ito in aid of legislation, wala daw jurisdiction iyong Committee, nasa Supreme Court na daw, pero, then again, maging iyong Supreme Court kinikilala nga iyong ating responsibilidad, kasi we owe it to the people na talakayin iyong ganitong mga topic lalo na at pera ng bayan iyong nakataya.

And also, Mr. Chair, iyong dinahilan din kasi daw natanggap iyong letter, holiday, tapos may weekend pa kaya late daw nabasa. Mr. Chair, we would like to remind these officials na dahil mga public official tayo, hindi dapat basta-basta ginagamit iyong holiday or weekend bilang dahilan para i-neglect iyong ating duty.

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Kasi tayo, we have a standard, sapat iyong minimum three calendar days for us to issue notices kapag magkaka-hearing tayo.

So, iyon lang iyong gusto nating i-reiterate din, Mr. Chair, in support din sa mga nabanggit dahil sobra na itong... actually, nasa extent na rin po ng pambabastos na sa mandato ng Committee natin to conduct this investigation. Iyon lang, Mr. Chair.

Thank you.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Congressman Abante.

REP. ABANTE. Tayo po ay nagpapasalamat kay Attorney Poa na iyong ating... ating pag-imbita sa kaniya ay palagi siyang nandirito, 'no, the fact that he worked as a spokesman of the Vice President before. Gusto ko lang tanungin sa kaniya, kilala niya iyong mga taong ito, eh, ito ba talaga mga ugali nitong mga taong ito?

Palagay mo, Attorney Chua, ito ba talaga ugali ng mga taong ito?

MR. POA. Mr. Chair...

REP. ABANTE. Yes.

MR. POA. Your Honor...

THE CHAIRPERSON. Attorney Poa, you are recognized.

MR. POA. ...I hope you would forgive me, but I cannot comment po on that. 'no. I'm sorry po.

REP. ABANTE. Well, I'm just so glad, Mr. Chair, that Attorney Poa do not have this kind of an attitude also.

Thank you very much.

REP. GERVILLE "JINKY BITRICS" R. LUISTRO. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Luistro.

REP. LUISTRO. Mr. Chair, to complete the arguments... our answer to the arguments which were raised by the OVP in their position paper, I wish to share the... the rules and the jurisprudence which were cited with respect to the argument on *sub judice* rule. Isa po sa mga dahilan na ginagamit ng OVP why they refuse to attend our inquiry in aid of legislation is the rule on *sub judice*. By this, we are prevented from making any comment or disclosures pertaining to judicial proceeding which may directly or indirectly impede, obstruct, or degrade the administration of justice. In Filipino, Mr. Chair, kapag ang subject matter is already pending in court, generally, we are precluded from making any comment.

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However, Mr. Chair, maliwanag po ang parameters when the *sub judice* rule may apply. And I wish to share, number one, under Section 1 of the Rules on Inquiry in Aid of Legislation, "The filing or pendency of a case before any court, tribunal, or *quasi*-judicial, or administrative body shall not stop or abate any inquiry conducted to carry out a legislative process."

Number two, Mr. Chair, there is no pending court case or administrative appeal that involves the same subject matter of this hearing. I understand that there are pending petitions before the Supreme Court, but let us acknowledge that the subject matter of those petitions is the constitutionality of the grant of confidential fund to executive offices, like the OVP and the DEPED. Whereas the subject matter of this investigation, Mr. Chair, is the utilization of the confidential fund. These are two different matters, Mr. Chair.

And third, Mr. Chair, let us be aware of the jurisprudence on the case of Romero II versus Estrada. This is G.R. No. 174105, promulgated on April 2, 2009, which essentially states, "On-going judicial proceedings cannot preclude or hinder congressional hearings in aid of legislation." In this case, it was held that the mere filing of a criminal or an administrative complaint before a court should not automatically bar the conduct of legislative investigation. Otherwise, Mr. Chair, it would be extremely easy to subvert any intended inquiry by Congress through the convenient ploy of instituting a criminal or an administrative complaint.Surely, the exercise of sovereign legislative authority of which the power of legislative inquiry is an essential component cannot be made subordinate to a criminal or administrative investigation.

In conclusion, Mr. Chair, there is no leg to stand on where the OVP can raise the rule on *sub judice*.

I submit, Mr. Chair.

THE CHAIRPERSON. Thank you, Congresswoman Luistro.

Mayroon pa pong gustong mag-comment...

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THE CHAIRPERSON. (Continuing)...*gustong mag-comment?*

Yes, Congress... Congressman Defensor. You are recognized.

REP. LORENZ R. DEFENSOR. Thank you, Mr. Chairman.

Just to put to rest, once and for all, the issue of whether this is in aid of legislation, this is clearly in aid of legislation because ang pera na ginamit ng OVP at ng DEPED is funded and forms part of the single most important legislation passed by Congress every year, and that is the annual budget or the General Appropriations Act. Walang puwedeng magsabi na ang pondo na binibigay sa mga ahensiya ng gobyerno, kapag iniimbestigahan ng Komiteng ito, is not part of legis... of... in aid of legislation. Because we legislate the funds that we give to all agencies and instrumentalities of government and it is us... it is for us to determine, through our oversight and this Committee, whether we will fund it again, whether we will repeal it or whether we will not... no longer fund these programs through this confidential and intelligence funds.

So, I hope that is clear to every Filipino na in aid of legislation ito kasi part ito ng annual budget or General Appropriations Act taon-taon.

Thank you, Mr. Chairman.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Thank you.

Congressman Abante, you are recognized.

REP. ABANTE. I fully agree with Congresswoman Luistro and Congressman Defensor on what they said, ano. Eh, ito po ay pinapanood ng taong-bayan na kinakailangang maunawaan po nila na itong pondong ito, whether confidential po ito o hindi, ay nagastos na po ito. Hindi pa ito gagastusin. Nagastos na ho ito, eh. Ang nais nating malaman kung paano ito nagastos. Tungkulin po natin iyan sa Komiteng ito na alamin upang malaman po ng taong-bayan na iyong paggastos po ng pondo na nanggaling sa mga taxpayers ay tama at naaayon sa mandato na ibinigay sa Office ng Pangalawang Pangulo. Kaya nga po iniimbitahan natin itong mga taong ito na nakakaalam ng mga pondong ito.

Ako naman po ay medyo naaawa na rin sa ating members ng COA, eh, na naririndi na sa mga katanungan natin. Eh, talagang dapat ay pumunta na po ito. Kaya gusto ko ring i-air ang warning na ito muli, ha, 'pag hindi pa sila nagpunta sa

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panglimang pagkakataon, eh, ako na po, eh, magmo-motion to issue a contempt order on them.

Maraming-maraming salamat po, Mr. Chair.

THE ACTING COMMITTEE SECRETARY. Your Honor.

THE CHAIRPERSON. Thank you, Congressman Abante.

THE ACTING COMMITTEE SECRETARY. Your Honor, may I be recognized?

THE CHAIRPERSON. Yes, ComSec. You are recognized.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

We recognize the presence of Honorable Ernesto M. Dionisio, Jr., Member, 1st District of the City of Manila, as well as Honorable Jonathan Keith T. Flores, 2nd District of Bukidnon.

Your Honor, present as well today are representatives from the Land Bank of the Philippines: AVP Nenita Camposano of the DOTC Branch—Ma'am, may you please raise your hand—present, Your Honor; DM Joyce L. Eclavea, DEPED Branch; and Attorney Rafael Christopher L. Yap, Special Legal Concerns Department—present, Your Honor. That's it.

THE CHAIRPERSON. Nakapag-take na po ba sila ng oath?

THE ACTING COMMITTEE SECRETARY. No, Your Honor. They are new invitees, Your Honor.

THE CHAIRPERSON. Yes. Puwede po bang paki-administer iyong oath, ComSec.

THE ACTING COMMITTEE SECRETARY. From the representatives of the Land Bank, kindly stand up. Okay.

At this juncture, the resource persons stood up to take their oath.

THE ACTING COMMITTEE SECRETARY. Please raise your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth in this inquiry? So help you God.

MR. RAFAEL CHRISTOPHER L. YAP (Legal Officer, Special Legal Concerns Department, Land Bank of the Philippines). Yes, Your Honor.

MS. NENITA B. CAMPOSANO (Department Manager, Land Bank of the Philippines – DOTC Branch). *(Nodded)*

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MS. JOYCE L. ECLAVEA. (Department Manager, Land Bank of the Philippines, Department of Education Branch). *(Nodded)*

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor. The oath has been administered.

THE CHAIRPERSON. Thank you.

We will now proceed to the… to our next item in the agenda, the continuation of the deliberation. We will first call on the first interpellator, the Honorable Congressman Rodge Gutierrez.

Yes, you are first to interpellate.

REP. RAMON RODRIGO L. GUTIERREZ. Thank you, Mr. Chair.

THE CHAIRPERSON. Iyong mga gusto pong… for a while, Congressman. Iyong mga gusto pa pong… Congressman na magpalista, magpalista na po, lumapit lang po kay ComSec.

Thank you po.

Please continue, Congressman Rodge.

REP. GUTIERREZ. Thank you, Mr. Chair.

Mr. Chair, I just have a few questions based on the areas that we've done in the past. Given that this is already our fourth hearing, I'm sure COA is very much used to our questioning and I hope they could indulge us some more. Actually, Mr. Chair, iyong aking mga katanungan is supposedly directed to the Special Disbursement Officer of the OVP. Because under my… my understanding, based on the Joint Memo, this would have been SDO Acosta's responsibility. Because under No. 6.3.2, Section (b), it is part of the Special Disbursing Officer's responsibility to maintain separate records of all transactions and to retain a certified copy or duplicate copy of the required supporting documents and reports on utilization. However… and my question is precisely on this—on the acknowledgement receipts attached as justification, iyong documentary evidence presented.

However, given that the… SDO Acosta is not around, I guess we will be forced to, at least, to get this… some of the answers, I will be forced to ask the COA. So, with that, Mr. Chair, I would like to direct my questions, perhaps, to Attorney Camora from the ICFAU, if they will be so kind to indulge.

Just as to add context po ano, Attorney Camora, we know po that the Confidential Funds are special in the sense that they respond to… they pertain to a

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certain purpose only allowable under the Joint Memo Circular. But this does not mean that this is a blanket... a blank check po, 'no. It's not a blanket authority that it could be spent without justification. Would that be a fair statement po?

THE CHAIRPERSON. Attorney Camora, you are recognized.

MS. GLORIA A. CAMORA (Attorney V, Intelligence and Confidential Funds Audit Unit, Commission on Audit). That is correct po, You... Your Chair... Mr. Chair.

REP. GUTIERREZ. So, in line with that and in line with the requirements of the COA, you would ask actually for liquidation report. So, though it's special in the sense that it is directed only to the Chairman of the COA, you still have the ICFAU to study this. And, in fact, it is the ICFAU who gives the AOMs, the Notice of Disallowance and the Notice of Credit in relation to Confidential Fund spending, is that correct, Mr. Chair?

MS. CAMORA. That is correct, Mr. Chair.

REP. GUTIERREZ. Okay. So, Mr. Chair, given the... may we know... I have a timeline again of the 2022 Confidential Fund usage of the OVP. If I understand correctly, it was disbursed within 11 days. This was for December of 2022 and the basis of the funds was a transfer from the Contingent Fund. But there was an AOM issued by your office, anong date po nito?

MS. CAMORA. Mr. Chair, the first AOM is dated September 14, 2023.

REP. GUTIERREZ. So, for the 2022 Confidential Fund, September 2023 iyong AOM, and the response by the Office of the Vice President was received around what time po kaya?

MS. CAMORA. It was received by the ICFAU on October 19, 2023, Mr. Chair.

REP. GUTIERREZ. October 2023. And one of the findings there was insufficient docu... the DEPs po, 'no, and this would be pertaining to, in support of the liquidation reports, iyong ating mga acknowledgement receipts. Whereas, compared to usual spending by government wherein we actually need official receipts, kapag ang pinag-uusapan po ay confidential or intelligence funds because, precisely, confidential dapat iyong usage nito, we... it is sufficient to submit acknowledgement receipts. Tama po ba?

MS. CAMORA. Mr. Chair, since the requirement is a documentary evidence of payment, not necessarily official receipt.

REP. GUTIERREZ. Correct.

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MS. CAMORA. So, we... they could submit acknowledgement receipts.

THE CHAIRPERSON. Attorney Camora, puwede pong pakilakasan po ninyo iyong boses ninyo?

MS. CAMORA. Yeah. Documentary evidence of payment po ang required sa Joint Circular, so the acknowledgement receipts are acceptable po.

REP. GUTIERREZ. Acceptable. Correct po, 'no, and I agree with that.

So, the acknowledgement receipts are acceptable. However, one of the findings of the AOM was kulang nga po iyong DEPs, and this is pertaining to the acknowledgement receipts.

MS. CAMORA. The first time na nag-liquidate po sila, wala po talagang...

REP. GUTIERREZ. Wala.

MS. CAMORA. ...submitted na DEPs.

REP. GUTIERREZ. Opo. So, that's why you had the AOMs in September 2023. Part of the findings was the lack of the DEPs, precisely iyong mga ARs natin. And then they answered in October 2023.

When they filed on October 2023, was it already there—iyong DEPs? Iyong justification po nila?

MS. CAMORA. Yes, Mr. Chair, it was part of their compliance.

REP. GUTIERREZ. So, it was submitted October 2023.

After that, there was a Notice of Disallowance pertaining to that quarter. Kailan po ito na-issue?

MS. CAMORA. Mr. Chair, before that, a Notice of Suspension was issued. So, normally, after the AOM is issued and the COA is not satisfied with the compliance, we issue a Notice of Suspension which was issued on December 13, 2023.

REP. GUTIERREZ. December 2023. And the Notice of Suspension...

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REP. GUTIERREZ. (Continuing)...Notice of Suspension, you mentioned, is when the COA is not satisfied. So, iyong pag-submit po noong October 2023 DEPs hindi pa po satisfied iyong COA. And what was... was the reason that you were not satisfied? Mali-mali po ba iyong mga AR or kulang pa po iyong mga AR?

MS. CAMORA. May mga... May mga ibang ARs po na may issues and may kulang pa po na additional documentation on other ARs.

REP. GUTIERREZ. And when... After ng Notice of Suspension for December 20, 2023, they were given another chance to submit other documents, is that correct or wala na po?

MS. CAMORA. Mayroon pa, Mr. Chair.

REP. GUTIERREZ. Mayroon pa.

MS. CAMORA. They were given 90 days to...

REP. GUTIERREZ. Ninety days. When did this... Apologies. When did they submit their additional do... DEPs po, in response to the Notice of Suspension?

MS. CAMORA. Mr. Chair, we received their compliance on March 13, 2024.

REP. GUTIERREZ. March 2024. And, finally, I suppose, after this, ito na po iyong disallowance?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Anong date po ng disallowance po natin?

MS. CAMORA. The disallowance is dated August 8, 2024, Mr. Chair.

REP. GUTIERREZ. August 2024. Thank you.

I will get back to that po, 'no. I wanted to establish the timeline because one of the things that we have found with the acknowledgement receipts is that there seems to be a disconnect in regarding relation in the dates, especially considering the fourth quarter of 2022 CF.

Mr. Chair, may we ask the Secretariat, I don't know if they prepared it, I want to flash on the screen an acknowledgement receipt.

Here. Can you... Is the date legible po sa inyo? Can you see? I'd like to confirm that the date that it says is actually December 28, 2023. Do you... Do you see that, Attorney Camora?

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MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. And supposedly this was attached. I'm not sure if this would come in for the first batch of response in December 2023 or if it came in with the second batch of response noong March 2024. But this is supposedly a DEP presented for the fourth quarter of 2022. Isn't it strange... Not really strange, it is out-right false for it to justify an expense in 2022 but the date is 2023. Would that be correct, Ms. Camora... Attorney Camora?

MS. CAMORA. That is correct, Mr. Chair. Actually, one of the findings under the Notice of Suspension is that some of the acknowledgement receipts were dated December 2023 and some were even undated.

REP. GUTIERREZ. Yes. And this would be the basis for disallowance or was this... Ano po iyong... This is the findings of the AOM po ano?

MS. CAMORA. Yes. That is under the Notice of Suspension na po, Mr. Chair.

REP. GUTIERREZ. Notice of Suspension.

MS. CAMORA. Since na... nakapag-comply na sila, so iyong observation namin was already under the Notice of Suspension po.

REP. GUTIERREZ. How would it be complied po, Attorney Camora? How do you rectify the AR if it... I mean, my understanding po is, pag-submitted po iyong AR, this is already, supposedly, presumed to be regular. And then you have an outright problem such as 2023, although you might say na typographical error but... Correct me if I am wrong, this happens more than once po, is that correct, Attorney Camora?

MS. CAMORA. That is correct, Mr. Chair.

REP. GUTIERREZ. Would you know how many ARs exactly iyong dated 2023, submitted for 2022?

MS. CAMORA. Mr. Chair, we have attached it in the original Notice of Suspension. However, we do not have the figures today.

REP. GUTIERREZ. Sige po. Well, just to help you po, 'no, based on our study, 158 of the acknowledgement receipts have that typographical error. We would understand the typographical error if it happens once or twice, and that most for.... for one individual to make that mistake multiple times. But for, supposedly, the

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acknowledgement receipts which come from different sources, there should be different people issuing it po, 'di ba? This should be... These are different people signing off for different expenses.

Now, for 158 people to make the same mistake, is that something that would be acceptable? Is that an acceptable margin of error for the COA?

MS. CAMORA. Mr. Chair, they... they answered in their compliance as to the...

REP. GUTIERREZ. Mr. Chair, apologies. May we know what does this mean, "to answer with the compliance"? So, they took back iyong AR na mali po iyong date or...

MS. CAMORA. No, Mr. Chair. Iyong compliance nila contained their answers why they had the acknowledgement receipts dated December 2023 and undated acknowledgement receipts.

REP. GUTIERREZ. And what was the answer po, Attorney Camora?

MS. CAMORA. They said they have inadvertently contained clerical and typographical errors indicating 2023 instead of 2022.

Considering the nature of confidential activities, which are usually conducted discretely and completed within a short period of time, and in addition to the lack of attention to details of personnel attending to voluminous papers from several individuals, some data in the acknowledgement receipts submitted as proof of transactions may have been missed.

REP. GUTIERREZ. Mr. Chair, I... apologies. I think that portion would suffice po, Attorney Camora, 'no

So, the answer of compliance, they did not dispu... they did not take back the ARs but they simply gave that defense that it was inadvertence. So, basically, typo nga po siya. But precisely, the point, Mr. Chair, that think that the Committee should consider is that this is a typographical error for 158 acknowledgement receipts. This is not something that, I think... although we do not argue with the COA, of course, this is their jurisdiction, it is precisely their decision, if that compliance would be sufficient. However, I think for us to consider in strengthening the laws that

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we are going to craft, supports perhaps… in support, perhaps, of the Joint Memorandum Circular. I think we have to be stricter with the acknowledgement receipts to be issued. Because, Mr. Chair, I think... let me… I would like to propose one thing—of course, the COA will not be able to answer this—but given the timeline po, ano, September 2023 iyong first na AOM, then October 2023 was the compliance for the first batch of ARs, and then December 2023 the Notice of Suspension and that was the time siguro po, 'no, that they were coming up with these new ARs. It would make more sense, Mr. Chair, for them to make that mistake because when you... 'pag nagkaka-typographical error po natin sa date, the usual mistake is you put on the date that is current. Isn't it possible, Mr. Chair, based on human experience, isn't it more likely that these ARs were prepared a year after the fact already? That they were prepared in December 2023 because this precisely coincides with the date in which they submitted the second batch of the ARs?

I don't think, Mr. Chair, this was a mistake committed in December 2022. This was a mistake that was committed after the fact, after the AOM, and after the Notice of Suspension when they were rushing to comply with the... iyong mga butas po na nahanap ng COA.

I think this is something that the Committee should consider, especially when it comes to the compliance with the COA. We are not faulting the COA, of course, and we respect them, this is their jurisdiction. But one thing that we understand, that we see from the COA is that, generally, they are... not really ministerial, but they never... they would err on the side of caution rather than put themselves in a place to, you know, exercise discretion regarding the disbursements by any agency. Sa kanila po, as long as complied iyong DEP and as long as there is an explanation, they will accept it. However, I think the COA has to go above and beyond that requirement.

Because, Mr. Chair, just to highlight also how... how spurious this seems and how bogus, if December 2022 po iyong date dapat ng AR, tapos December 2023 iyong date, it wouldn't even correspond to any confidential funds. Hindi... It's not possible if ever the reasoning was nagkapalitan ng AR because, I understand, it might be… that might be one of the excuses for inadvertence, baka nagkapalitan

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iyong AR for December 2023 and December 2022, pero wala pang December 2023. If we recall, the fourth quarter of the Confidential Funds for the Office of the OVP was never disbursed. They chose… Although it was already included in the… our General Appropriations Act, they chose not to disburse iyong fourth quarter. So, saan po na ilalagay itong December 2023 AR if, in fact they would say inadvertence, nagkapalitan yan? Or, if they say typographical error naman, it wouldn't make sense, what's that doing in December 2022, 158 times po nangyari? More likely, this was the same mistake committed by, perhaps, a few persons which raises the question, are these acknowledgement receipts spurious? Are they bogus? Are they false?

In addition to that, Mr. Chair, I'd like to present another acknowledgement receipt. If the Secretariat could, please, flash iyong November 1 po.

THE CHAIRPERSON. Cong. Rodge, gusto ko lang linawin, 158 times na ang date ay 2023?

REP. GUTIERREZ. Mr. Chair, based on what our office has found, 158 of the ARs, corresponding to 23.8 million, were submitted…

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REP. GUTIERREZ. (Continuing)...were submitted for the December... for the fourth quarter of 2022 disbursement but they were citing 2023. Ang sabi nga po ng COA na ang... citing the answer of the OVP, is that inadvertence po...

THE CHAIRPERSON. Ang dami namang pagkakamali noon. Kung magkakamali ka dapat isa lang. Eh, sa 2023, last quarter, wala na silang confidential fund. So, parang lumalabas lumagpas iyong kanilang liquidation, sobra-sobra iyong liquidation na nilabas nila. Tama po ba iyong pagkakaintindi ko sa sinasabi ninyo?

REP. GUTIERREZ. Well, Mr. Chair, your guess is the same as ours. But it could also be na these are ARs belatedly prepared.

THE CHAIRPERSON. Ah, okay. Sige po. Thank you po. Please proceed.

REP. GUTIERREZ. Thank you, Mr. Chair.

So, proceeding onward, may we ask the Secretariat to flash iyong November 2020... ah, November 17, 2023 AR. *(The pertinent acknowledgment receipt was shown on the screen)* Iyon. Thank you.

Attorney Camora, can you... is it legible po? Can you see that the date is November... November 27, sorry, 2023? No, 2022.

MS. CAMORA. Novem... I cannot see it. November 17, Mr. Chair?

REP. GUTIERREZ. Ah, November 27 po, 2022.

MS. CAMORA. Ah, 27.

REP. GUTIERREZ. Well, Attorney Camora, apologies. Perhaps hindi lang kita masyado sa screen, but on paper nandito po na November 27, 2022 po siya. If my understanding is correct, the AR should correspond to the period of the Confidential Fund Is actually disbursed and used, tama po ba? So, although it is for the fourth quarter of 2022, this was submitted as an AR there, it should correspond to the 11 days of disbursement po that they actually had it. Because, if I understand correctly, anong date nga po iyong first... iyong pag-issue noong check for the OVP Confidential Funds?

MS. CAMORA. Ano? December 20, 2022, Mr. Chair.

REP. GUTIERREZ. December 20, 2022. So, definitely, this is after November 27, 2022. Would the COA have... Of course, of course, I would not fault COA for this. This is supposedly a question for the Special Disbursing officer, si SDO Acosta. But given that she's not here, I am constrained to ask the COA. Para saan po kaya... would this be considered... Because if we also consider baka sabihin naman

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natin na typographical error, Baka dapat November 2023 po ito, wala rin pong fourth quarter Confidential Funds ang OVP for 2023, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. GUTIERREZ. So, in that case, how would the COA appreciate this acknowledgment receipt?

MS. CAMORA. Normally, Mr. Chair, it should be noted that confidential funds should not be used as payment for reimbursement of previous activities. So, it would have been flagged as reimbursement expense, so not allowed.

REP. GUTIERREZ. So, this would have been disallowed totally. And perhaps there's a good... there's a good chance that this is part of the disallowance actually of your... COA?

But I think, Mr. Chair, what is striking for this Committee is... of course, the COA has already acted on the disallowance, but what should be considered is the fact that this could not have happened... I mean, reimbursement might be one explanation, but how could you reimburse something that this was even the first batch of Confidential Funds? December 21 po ba, tama ba, December 21?

MS. CAMORA. December 20, Mr. Chair, iyong date ng check.

REP. GUTIERREZ. December 20 po iyong tseke. This is the first Confidential Funds ever issued to the OVP for this administration, yet they have acknowledgment receipts for November 27, 2022. Ibig sabihin po, wala pa pong confidential funds, they're already coming up with their acknowledgment receipts.

I think...

REP. ABANTE. Mr. Chair, with the indulgence of Congressman Gutierrez, may I just...

THE CHAIRPERSON. Congressman Abante.

REP. ABANTE. Bago ko makalimutan ito, ano, nakalagay dito iyong... paki-ano nga ulit iyong ano, iyong acknowledgment receipt, iyan, ha. Ito po ba ay allowed ng COA, 'pag gumamit ka noong 150 thousand na rewards?

THE CHAIRPERSON. Acknowledgment receipts.

REP. ABANTE. Acknow... Paki-ano nga iyong... ipakita mo iyong... acknowledgment receipt, pakilagay nga uli. *(The pertinent acknowledgment receipt was again shown on the screen)* Ayan. Allowed po ba ng COA iyan, iyong payment of rewards, nakalagay medicines? Allowed po ba ng COA iyan?

MS. CAMORA. Mr. Chair, one... that is one of the observations po na...

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REP. ABANTE. O, therefore, kung iyan ang observation niyo, dinisalaw (*disallow*) niyo?

MS. CAMORA. Yes, Mr. Chair, apart from the disallowance...

REP. ABANTE. Okay, so that was actually 150 thousand used for payment of rewards (medicines), was disallowed by COA, ganoon po ba?

MS. CAMORA. It is... It is one of the disallowed accounts, Mr. Chair, iyong payment of reward (medicines).

REP. ABANTE. Ito, ito, disallowed ito, 'di ba?

MS. CAMORA. Probably, Sir, since kasama naman siya sa...

REP. ABANTE. Teka, teka, ano, Attorney, ba't "probably"?

MS. CAMORA. Yes, Sir. Since it is an acknowledgment receipt of payment of rewards.

REP. ABANTE. (*Laughs*) 'Di ba, you're a good lawyer, you cannot just say, "probably". You have to be sure about it, 'di ba? So, talagang disallowed ito, 'di ba?

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. O, ayan. Mr. Chair, thank you.

THE CHAIRPERSON. Please continue, Congressman Rodge.

REP. GUTIERREZ. Thank you, Mr. Chair. Thank you, Congressman Abante.

Basically, what we're trying to say here po, 'no, in relation to the dates, whether this is for reimbursement of... although illegal po, 'no, it's not supposed to be allowed, if... whether this was as justification for reimbursement or this was inadvertence for typographical errors despite being repeated over 158 times, these are clear red flags po in relation to the ARs submitted by the office. And this is something that we should consider.

Looking forward, we should consider po this, in aid of legislation, perhaps legislation to strengthen this Joint Circular, to make sure that this does not appear again or perhaps stringent penalties for when this is caught. But more important than that, we still have to hold them accountable po, 'no, for this... Although this has already past and there's already Notice of Disallowance, accountability should be had for this.

Now, in addition po, moving forward from these erroneous dates or inadvertent dates, I have another... I would like to present another documentary evidence. May we have po the Secretariat flash iyong acknowledgment receipt for

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Mr. and Ms. NP. *(The pertinent acknowledgment receipt was shown on the screen)* Iyon.

Attorney Camora, when we're talking of acknowledgment receipts, basically, it's something like this one. It's very bare, it just has the amount received, for what purpose, and you have the name and the date. That's all that is required. However, when it comes to the name, is this usually the name of the person or signature or both?

MS. CAMORA. They... They... They would give us normally iyong name and signature but, actually, the signature is which is more important to the COA.

REP. GUTIERREZ. Just more important.

MS. CAMORA. Since we know that unsigned documents are...

REP. GUTIERREZ. Yes.

MS. CAMORA. ...really not good documents. So, kung signature lang, okay lang po siya pero kung name lang po we will log it as unsigned document po.

REP. GUTIERREZ. Yes. And what is the reasoning for this? Because a name can be written by anyone, but a signature is supposedly unique. Is that a fair statement, Mr. Chair?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. So, what happens when, for example here, it may not be seen, it's redacted precisely because it's confidential? However, it could be noted that this name was written in block letters which are not distinctive by any manner. Yet, this what was submitted as acknowledgment report... ah, acknowledgment receipt? So, in cases such as this, it's very possible that someone purporting to be Mr. NP is writing the name for NP. Would that be correct, Attorney Camora?

MS. CAMORA. That is correct, Mr. Chair.

REP. GUTIERREZ. So, in this case this would be another case of an irregular AR? Would that be correct?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. And, of course, when it comes to the ARs that are just block letters and names because, precisely, it could be purporting to be that person but signed by anyone else, this should be disallowed, Mr. Chair. But, of course, as mentioned again by Attorney Camora, alam ko baka naririndi na po kayo with all of these questions for the ICFAU which are all redundant. But it's just... it's an additional proof po that what we're looking at here are red flags when it comes to

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acknowledgment receipts. And I think we really should strengthen po siguro the DEPs that would be required for confidential funds. Kasi po hindi po ito biro. And if you look at it, precisely, we're talking about a single payment for 400 thousand pesos as a reward payment, which could be anyone because hindi nga po signed.

Kung sa mga signatures nga po nagkakaduda tayo kung totoo iyong signature, paano pa kaya 'pag walang signature at all? How do we know that this person exists? These are some issues that we should consider po, Mr. Chair, when we're going to craft our legislation to strengthen po iyong Joint Memorandum Circular.

Mr. Chair, I have other questions, but I think these could only be answered by SDO Acosta. So, I would like to manifest that I would like to join po iyong sent... I have the same sentiments as Chairman Abante, that these persons invited should appear at least. It would be our fifth hearing already and still we have no answers. And I think it would... it... the answers really rely on their attendance, and this is only for the accountability, for the truth that our people would see. So, I think we should really be... have a harder stance po requiring their attendance.

So, with that, Mr. Chair, I would now defer and yield to our other colleagues...

(MS. FLORISA M. PADA TOOK OVER)

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REP. GUTIERREZ. (Continuing)...other colleagues here today.

Thank you very much, Mr. Chair.

Thank you, COA.

THE CHAIRPERSON. Thank you, Congressman Rodriguez (Gutierrez).

The next interpellator is Congresswoman Pammy Zamora.

REP. A. M. J. ZAMORA. Mr. Chair... Good afternoon, everyone.

Mr. Chair, since wala naman iyong mga invited guests natin sa... from the OVP, I will not be raising any questions. Rather, I would just like to point out an in... a very important manifestation which, I believe, is very important and vital for our proceedings, 'no. Kaunting backtrack lang po tayo, over the past hearings. Mr. Chair, we've discussed the contents of the accomplishment reports, and I'm sure we all have copies of that, at kung sino ang naghahanda at pumipirma ng mga ito. And as we have confirmed, ang naghahanda at nagpi... pumipirma ng mga ito ay iyong SDO and iyong head ng agency. Mr. Chair, allow me to point out what the certification attached to the accomplishment report means for the SDO and the Vice President herself as head of the agency.

Mayroon ba iyong slide natin para makita ng ating mga manonood? *(The pertinent slide was shown on the screen)*

So, Mr. Chair, itong pinapakita natin ay part ng certification na naka-attach sa mga liquidation reports na OV... na sina-submit mismo ng SDO at ng ating Vice President. Okay. We have four copies—from the period of December 21 to 31, 2022; from Feb... from Feb. 6 to March 29, 2023; from April 25 to June 2023; and from July 14 to September 14, 2023—all of which amount to 125 million. So, apat na 125 million po ito na sine-certify po nila; nakapirma po silang dalawa diyan. And may I emphasize on Section (b), "Expenses were incurred in connection with the agency's intelligence and/or confidential operations and activities, with supporting documents attached to the liquidation of confidential funds and for the intelligence funds, documentary evidence of payment kept in sealed envelope in the vault in the office of the SDO." This only means, Mr. Chair, that the signatories of these liquidation or accomplishment reports, which is a sworn document, certify na iyong cash advances here amounting to 500 million pesos, representing the confidential funds, were used for the implementation of the OVP initiatives. And, as COA has pointed out in the past hearings, they do not verify or determine whether the information in the DEPs—

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the amount, the signature, name in the receipt, the date sa receipt—are truths, lies or reasonable or unreasonable. The only persons who are able to verify kung totoo talaga ang mga acknowledgment receipts na ito, Mr. Chair, ay ang Office of the Vice President, particularly the head of the Vice... or the head of the office, which is the Vice President herself, and the Special Disbursing Officer.

With this, Mr. Chair, it's rather very evident that, through the certification attached to this, nakikita natin dito—accomplishment reports, the ARs na kinukuwestiyon kanina—are impliedly verified by the Vice President herself and the SDO. Nevertheless Mr. Chair, naniniwala po ang inyong lingkod na mahalaga na usisain pa rin natin at tingnan ang veracity ng mga acknowledgment receipts na pinrisinta nila. And, at the end of the day, na kahit ito po ay... ay confidential or intelligence funds man, ito ay pondo pa rin po ng ating pamahalaan intended po para sa ating mga kababayan.

With this, Mr. Chair, I yield the floor to the next interpellator.

REP. ABANTE. Do we have another, ComSec? Sino pa iyong isa?

THE ACTING COMMITTEE SECRETARY. Cong. Khonghun.

REP. ABANTE. Congressman Jeff Khonghun, you are recognized, please.

REP. JEFFERSON F. KHONGHUN. Thank you, Mr. Chair.

Mr. Chair, ayon sa ating last hearing, we have confirmed the following: the Office of the Vice President has requested for Confidential Funds for at least two years. The documents evidencing payment or the DPEs are required to be submitted to support the disbursement of Confidential Funds. The Commission on Audit relies mainly on DPEs, which is the case of OVP, are ARs. Napakaimportante po nito dahil napapatunayan kung saan at kung papaano at kung sino ang tumatanggap ng mga payments na galing sa Office of the Vice President. The COA has confirmed that these documents are noted as submitted out of mere compliance almost to the point of being ministerial. We have confirmed that these DEPs, despite its key roles in ensuring proper receipt of confidential funds and utilization as indicated in accomplishment reports, has been the documents submitted out of mere compliance perhaps at the cost of its truth and accuracy.

Mr. Chair, I would like to manifest that the purpose of this acknowledgment receipt, at least in theory... at least in theory, is to safeguard the use of Confidential Funds. Papaano po natin maipapakita through sa acknowledgment receipts kung

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ang tao na tumatanggap nito at kung saan ito napunta at ginagastos? Kahit Confidential Funds po ito, need po nating bantayan kung papaano ito nagagastos at kung papaano ito nagagamit.

However, despite the intent, an examination of these acknowledgment receipts submitted in the liquidation of the OVP's Confidential Funds shows the alarming discrepancies and indications of irregularity. Mayroon pong pagdududa kung saan at papaano ginamit ang Confidential Fund ng OVP.

Mr. Chair, mayroon po akong ipapakita na acknowledgment receipt dated December 2022. *(The pertinent document was shown on the screen)* Ito po iyong documents in evidencing payment. Nakita po natin na walang nakalagay...sa acknowledgment... acknowledgment receipt na ito, walang nakalagay na date. Bakit po kaya walang date din na nakalagay dito? Naka-blank po iyong date. So, this acknowledgment receipt was included with the ARs dated December 22, are part of the DEPs of... of 2022. Based on this acknowledgment receipt, it is... the auditor able... are the auditors able... were able to determine whether the money used was actually issued in 2022? Napakahirap pong patunayan kung talagang 2022 nga po ba ginastos o ginamit itong mga ARs na isinabmit *(submit)* ng Office of the Vice President dahil wala nga po itong date. Ano po ba iyong nakapaloob sa acknowledgment receipt na ito? Wala rin po itong period cover... period covered. So, ano po ang dahilan kung bakit kailangan may nakalagay na period covered sa isang acknowledgment receipt na ito? Tingin ko po kailangan nating malaman para malaman din natin kung kailan at para saan ito ginamit. Kung wala po itong date, sa nakikita ninyo, eh, medyo hindi katanggap-tanggap at talagang nakakapagduda kung saan at papaano ginamit iyong pera na nakalagay po sa acknowledgment receipt na ito.

To illus... To illustrate to you, I will show you the acknowledgment receipt in the name of a certain AAS who appears three times in the acknowledgment receipt on hand. *(The pertinent document was shown on the screen)* Nakita po natin na bale sa dokumentong isinabmit *(submit)* ng OVP—na ipinapakita ko po ngayon—a certain AAS na may... may tinanggap siya na pera sa loob po ng dalawang buwan. From December 2022 to February 2023, almost 210 thousand ang tinanggap niya...

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REP. KHONGHUN. (Continuing)...tinanggap niya. But from December 22 to July 2023, nakatanggap si AAS ng 300 thousand. Maaaring nakakapagtaka po kung papaano... kung papaano at para saan ang ginamit na perang ito kasi ang nakalagay po dapat is "purchase of information."

To reiterate, magkaparehas lang ang purpose ng tatlong ARs. Kung magkaparehas lang, bakit may varying amount sa disbursement? So, napakarami pong katanungan na kailangan nilang sagutin, iyong mga taong hindi po nagpunta rito at iyong mga tao po na iniimbitahan natin at sina-*subpoena* natin. Hindi po ba nakakapagtaka kung bakit may iba't ibang amounts for the same purpose, purchase of information? Katulad ni AAS, tumanggap siya ng 60,000 noong December 2022, 150 thousand noong February 2023, at 70,000 noong 2023.

In another set of ARs, Mr. Chairman, *(The pertinent document was shown on the screen)* may isa pang tao na by initials ay JOV, which he received the confidential funds for the... for three different purposes—for the payments of reward (medicine) in December 2022, for the payment of supplies in 2023, and the provisions of medical and food aid in 2023. Nakatanggap si JOV ng 920 thousand sa loob ng limang buwan for three different purpose—payment of reward (of medicine), payment of supplies, and provision of medical and food aid. Ano ang total na natanggap ni JOV base sa tatlong ARs na ipinakita ko sa screen? Ito ay 920 thousand. Unlike AOS, ang pera na tinanggap ni JOV ay para sa tatlong separate purpose—payment of rewards and medicine, payment of supplies, provision of medical and food aid.

Marami pong mga katulad ni JOV na tumanggap ng Confidential Fund na galing sa Office of the Vice President. Nakapagtataka na may isang tao na tumanggap ng Confidential Fund na twice o thrice para sa iba't ibang purposes. Nakakapagtaka din kung saan... kung saan ito nanggagaling. Ang galing-galing naman ng tao na iyon. Marami silang businesses na sobrang swak na kinakailangan ng Office of the Vice President or baka mayroon silang... baka puwede nating... Mas magandang katanungan is, hindi ba kayo nagtataka kung bakit paulit-ulit ang pangalan? Halatang-halata na parang ang Office of the Vice President ay naubusan na ng pangalan na ilalagay.

Mr. Chair, please allow me to point out to a pattern that we found out in the documents evidencing payment for December of 2022. There is a very real possibility that the Confidential Fund were released in batches daily, na parang routine na ito o

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robotic pa, parang scripted ang pag-release ng mga pondong ito. Tingnan po natin iyong... Tingnan po natin iyong... na ifla-flash po natin sa ating screen. *(The document was shown on the screen)* This shows a pattern that occurs throughout the DEPs in December of 2022. Nakikita po natin na halos pare-parehas po ang amount na ito at talagang grabe po iyong kanilang ginawa para sa reward (medicine). Nagre-repeat po ito ng 29... Nagre-repeat po ito ng December 29 and December 30, and even occurs many more times during this period. Never... Nakikita niyo rin po na never ninyo pinansin itong pattern kahit the same amount, same dates and several times. Kaya hindi po ba nakakapagduda, lalong-lalo na po sa Commission on Audit, na paulit-ulit po, na pare-parehas ang amount, pare-parehas ang... ang nakalagay, lalong-lalo na sa kanilang mga DEPs?

Mr. Chair, let us not forget that these Confidential Funds were spent all in 11 days. This pattern in releasing the Confidential Funds in batches show exactly how all the 125 million of Confidential Funds were fully spent.

Mr. Chair, we have shown you the importance of the DEPs more than being a required document for the disbursement of confidential funds, and the DEPs ay isa sa mga dokumento na dapat ay mayroon tayong integridad at dapat nating binabantayan dahil ito ang nagpapatunay sa maayos na paggamit ng confidential funds. Papaano natin... How can the integrity of the receipt and the use of confidential fund be safeguard... be safeguarded 'pag walang maayos na mga nakalagay sa ating mga acknowledgment receipt or 'pag hindi nababasa ng maayos iyong acknowledgment receipt?

Mr. Chair, dapat po talaga na humarap na iyong mga tao na ating sinu-*subpoena*, na ating pinapatawag dito sa... na nakadestino o naka-assign sa office ng Vice President. Sana po, Mr. Chair, huwag na... huwag na po nilang pagtakpan ang ating Vice President dahil nakikita naman po... nakikita natin na marami po talagang iregularidad na nakikita, lalong-lalo na sa kung papaano nila ginamit ang kanilang Confidential Fund ng Department of Education at saka ng Office of the Vice President. Huwag po nilang pagtakpan ang iisang tao lamang. Dapat po ang loyalty nila ay para po sa interest ng bansa, hindi po sa isang tao lamang. Iyon lang po.

Maraming salamat, Mr. Chair.

THE CHAIRPERSON. Thank you.

The next interpellator is Congressman Acop.

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THE ACTING COMMITTEE SECRETARY. Your Honor, may I be recognized?

THE CHAIRPERSON. Yes. With the indulgence of Congressman Acop, the ComSec is recognized.

THE ACTING COMMITTEE SECRETARY. Your Honor, we would like to acknowledge the presence of Senior Deputy Speaker Aurelio "Dong" Gonzales, Jr. from the 3rd District of Pampanga, Deputy Majority Leader Alfred C. Delos Santos from ANG PROBINSYANO Party List, and Congresswoman Mikaela Angela B. Suansing from the 1st District of Nueva Ecija.

Thank you, Your Honor. Thank you, Cong. Acop.

REP. ACOP. Mr. Chair, may I proceed?

THE CHAIRPERSON. Yes, please proceed, Congressman Acop.

REP. ACOP. Marami pong salamat.

Magandang umaga po sa ating lahat.

And before I proceed with my interpellation proper, Attorney Poa.

THE ACTING COMMITTEE SECRETARY. Poa?

REP. ACOP. Yeah.

MR. POA. Yeah, Mr. Chair.

REP. ACOP. Would it be correct that you stated in the previous hearing na only the Vice President and the SDO know where the Confidential Funds went based...

MR. POA. Based on the documents, Your Honor, I would assume so.

REP. ACOP. Did you state that?

MR. POA. What I was asked, Mr. Chair... I was asked, Your Honor, I think by Representative Castro if I knew anything about it and I said na, sa totoo, wala po talaga akong kinalaman sa management or operation ng Confidential Funds. So, if I remember it correctly and the transcripts would probably bear me out, tinanong niya, "Eh, kung hindi ikaw, sino?" So, I said, just the... well, I would assume the signatories, Your Honor, of the certifications and... of the other documents. And she asked me, "Who?" So, I said the SDO and probably the head of agency.

REP. ACOP. So, iyong... iyong sagot po ninyo, it's a presumption.

MR. POA. Well, Your Honor, kasi hindi ko po alam kung saan...

REP. ACOP. Because you answered the question under oath.

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MR. POA. Yes, Your Honor.

REP. ACOP. And, therefore, you stated the name of the Vice President and the Special Disbursing Officer, that they... they are the only ones who know where the Confidential Funds went.

MR. POA. That is... That is correct, Your Honor, 'no, because based on the documents.

REP. ACOP. That is why I asked you...

MR. POA. Yes.

REP. ACOP. ...whether you stated this statement in the last hearing.

MR. POA. Yes, Your Honor. But just to... I think just to clarify, I mentioned that it was based on the documents, Your Honor, because the documents would point that way.

REP. ACOP. Eh, kasi, kung titingnan ko iyong statement po ninyo ay, kung wala nang ibang nakakaalam kung saan napunta iyong pondo, eh, dadalawang bagay lang ang nangyari, 'di ba? Kasi either ibinulsa nung... ni VP o ni SDO o ginamit sa ibang bagay ni VP at saka ni SDO, hindi po ba?

MR. POA. Your Honor, please, I wasn't...

REP. ACOP. Hindi. Iyon po iyong sagot ninyo, eh, that's why...

MR. POA. But I wasn't alluding to that, Your Honor. I was asked...

REP. ACOP. I beg your pardon...

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REP. ACOP. (Continuing)...I beg your pardon?

MR. POA. I wasn't alluding to that, Your Honor, if...

REP. ACOP. No, eh, kasi...

MR. POA. ...I mean, I beg your indulgence, opo.

REP. ACOP. COA, correct me if I'm wrong. Hindi ba iyong pondo allocated sa office, tama? Nag-cash advance sila from Land Bank, tama? Land Bank, nag-cash advance sila doon, dinala sa opisina. Ang makaaalam na lang doon ay iyong head of office or head of agency at saka iyong special disbursing officer, tama? At iyong special disbursing officer, iyon iyong mag-a-allocate kung saan pupunta iyong gagastusin ninyong pondo, 'di po ba?

Sagutin ninyo ako, COA. Do you agree with me?

MS. SOFIA C. GEMORA (Director IV, National Government Audit Sector, Cluster 1, Commission on Audit). Yes.

REP. ACOP. Yes. Pakisabi sa mic para marinig po lahat.

MS. GEMORA. With your permission, Your Honor, yes po, Your Honor.

REP. ACOP. Yes. And, therefore, kung iyong liquidation or clearing process ay hindi totoo at bogus, ibig sabihin, nagamit iyong pera sa ibang bagay? Would you agree with me, COA?

MS. GEMORA. Well, based on your statement, Your Honor, and based on the...which you said that the liquidation or the documents are bogus, so we presume that the funds, no other evidence presented, were illegally disbursed.

REP. ACOP. Hindi po ba kayo kumbinsido sa mga sagot ninyo at saka sa mga katanungan ng aking mga kasama na iyong mga DEPs or documentary evidence of payments or acknowledge receipts ay puro may diperensiya, 'di po ba? And, therefore, kapag iyong liquidation instruments part of your clearing process or liquidation process ay mali-mali na, eh, saan napunta iyong pera?

Tell me, dalawang bagay lang po, kasi ang dami ko nang naimbestigahan na ganito noong nasa pulis ako, eh, saka sa PC-INP. O, 'di ba, either ibinulsa or ginamit sa iba. Either way, mali, 'di po ba? Would you agree, COA?

MS. CAMORA. If the liquidation po is bogus.

REP. ACOP. Kasi hindi naman napunta doon sa totoo, eh. Doon sa...doon sa clearing instruments na binigay, 'di ba? Kung naibulsa, masama. Ninakaw mo na, eh, 'di ba? Ngayon kung ginamit sa iba, technical malversation iyon. Would you agree with me, Attorney?

MS. CAMORA. That is assuming it was not used as confidential expense po.

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REP. ACOP. Eh, mali na nga iyong clearing instrument saka liquidation process, eh. Eh, iyong mali iyong pag-clear at saka pag-liquidate, what is your conclusion?

MS. CAMORA. That no funds were not used as confidential.

REP. ACOP. Supposed to be used.

MS. CAMORA. As...

REP. ACOP. As it is supposed to be used.

MS. CAMORA. ...it is supposed to be used.

REP. ACOP. Yes. That is the logical conclusion, 'di po ba? Would you agree with me, Madam Attorney?

MS. CAMORA. Personal opinion, yes, Mr. Chair.

REP. ACOP. Ha?

MS. CAMORA. Personal opinion po, Mr. Chair. Yes, I would have to agree.

REP. ACOP. Ewan ko, pero kasi sa dami ng naimbestigahan ko, ganoon ang nakikita ko, eh. Kayo naman, ang tagal ninyo na sa COA, hindi ninyo pa rin nakikita iyon? 'Di ba, kasi if your liquidation or clearing process is wrong, 'di definitely, iyong kung saan pinunta...pinuntahan iyong pera, hindi po doon sa tama.

Could you give me an instance na mali iyong liquidation process, tama iyong pinuntahan noong pera pursuant to your guidelines?

MS. CAMORA. Iyon nga po, Mr. Chair, personal opinion. If the confidential funds were not used as it is intended to be used, it's already technical malversation.

REP. ACOP. Yes, kasi kitang-kita naman na iyong paggamit po nila sa pondo, eh, parang ni-legalize lang nila from sa...by their submission to you iyong DEPs nila o kaya ARs or acknowledge receipts, 'di ba, na mali-mali. Would you agree with me?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Thank you.

Kasi iyon ang nakikita ko na nangyari, eh, process, eh. Nag-withdraw sa Land Bank dahil nandoon iyong pondo ng confidential fund, dinala sa opisina, iyong SDO, hindi ko alam. Kaya nga hinahanap namin iyong SDO para tanungin namin kung saan napunta, eh, paano niya in-allocate iyong pondo, eh. But as it is, iyong liquidation instruments, eh, mali-mali po, eh, kaya sigurado ako, hindi napunta sa tama rin iyong pondo. There are only two things na pinuntahan iyong pondo: nagamit sa iba o ibinulsa.

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O, ayaw ninyong matanggap iyon? Ako, kaya kong tanggapin kasi marami na kong dinaanan na imbestigasyon na ganoon. O, natameme kayo, ha? Hindi ba? Could you please tell us kasi maraming nangyayaring ganito, eh, which I think you know? Kasi hindi lang naman...hindi lang naman doon sa OVP iyan, eh, sa tingin ko.

Okay. So...Puwede po bang malaman iyon pong mga certification na ginamit po iyong security group ni Vice President, tinanggap din po ninyo?

MS. CAMORA. Mr. Chair, hindi po. Iyong proof sa rewards ni OVP, hindi po...

REP. ACOP. Hindi.

MS. CAMORA. ...kaya po na-disallow iyong payment of rewards?

REP. ACOP. Sa DEPED?

MS. CAMORA. Sa DEPED po kasi, parang na-deem namin na independent party iyong nagbigay ng certifications. So...

REP. ACOP. Paki...pakilapit lang iyong...

MS. CAMORA. Since na-deem namin na independent na group iyong nag-issue ng certifications, we accepted the certifications.

REP. ACOP. So, tinanggap ninyo...

MS. CAMORA. Opo, Mr. Chair.

REP. ACOP. ...iyong mga...iyong certification galing doon sa Office ng Vice President Security Group?

MS. CAMORA. Hindi po. Iyon ang hind po namin tinanggap since parang kasama din po ng OVP po iyon, eh. Pero iyong sa DEPED po kasi, ibang party na po kasi iyong nag-issue noong mga certifications.

REP. ACOP. Ah, iyon iyong natanong na noong last hearing...

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. ...iyong mga Philippine Army units...

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. ...na nag-conduct ng Youth Leadership Summit?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Thank you.

But would you agree with me that the Office of the Vice President is separate from the Office of the VPSG?

MS. CAMORA. Yes, Mr. Chair, but they are the group that is specifically...it's like iyong PSG po ni President na specific na naka-assign kay VP po.

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REP. ACOP. Kaya lang...kaya nga. And would you agree with also that the Office of the Security Group of the Vice President would have their own funds?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. And, therefore, would not need the confidential funds coming from the Secretary of the Department of Education and from the Office of the Vice President? Would you agree with me?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Thank you.

Wala kasi dito iyong mga kuwan, eh, dapat iyon ang tatanungin, eh.

Now, are you aware na there were 787 acknowledgement receipts where there were no names...

(MS. THELMA M. RETUBA TOOK OVER)

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REP. ACOP. (Continuing)... no names but there were signatures?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. You're aware of that. And there were 302 ARs that had unreadable names. Would you agree also?

MS. CAMORA. Unreasonable names, Mr. Chair?

REP. ACOP. Unreadable.

MS. CAMORA. Ah, unreadable. Yes, Mr. Chair.

REP. ACOP. Then there were five names repeated?

MS. CAMORA. That was not an observation, Mr. Chair. Iyong repeated names po hindi namin naging observation.

REP. ACOP. Hindi ninyo nakita iyon. Okay. And insofar as the Confidential Fund of the Department of Education is concerned, iyong location ng where the YLS were conducted did not match locations where information to support these YLS were supposedly bought, would you agree with that?

MS. CAMORA. Yes, Mr. Chair, may specific areas po iyong certification.

REP. ACOP. Yes. Now, would you also agree that there were identical entries, amount expended and number of receipts, for the second and third quarter of 2023 for entries on provision of medical and food aid?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes.

MS. CAMORA. It is not very unusual naman po since...

REP. ACOP. I beg your pardon?

MS. CAMORA. It is not very unusual naman po since puwede naman po talagang nangyari na...

REP. ACOP. So, usual iyong nangyayaring iyon?

MS. CAMORA. Hindi naman po usual, pero hindi naman siya ganoon ka unusual.

REP. ACOP. Sige. Whether it is usual or unusual, is it in accordance with the joint circular?

MS. CAMORA. Sa joint circular po kasi documentary evidence of payment lang po ang requirement.

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REP. ACOP. Pakisagot lang iyong tanong ko. Whether usual or unusual, is it in accordance with your joint circular?

MS. CAMORA. Since the document was submitted po, yes po.

REP. ACOP. You think they are?

MS. CAMORA. Yes po.

REP. ACOP. So, it is your opinion?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Okay. Thank you.

May we go to iyong kuwan, iyong acknowledgement receipts or DEPs. Now, we have examined iyong DEPs or acknowledgement receipts which were used to liquidate the confidential funds and I would like, Mr. Chair, to make the following statements from the examination.

May nakita po na mga acknowledgement receipts that all appeared to be signed by the same pen. Would you agree with that also, Madam COA?

MS. CAMORA. Yes, Mr. Chair, since either blue or black po iyong...

REP. ACOP. Yes. Kaya nga makikita po natin ito sa color ng ink.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yeah. Which is a very distinct shade of blue na may shades of black. I think it is there shown. Iyan din po ba iyong acknowledgement receipts na nasa inyo?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. And wala po kayong napansin?

MS. CAMORA. Iyong ni-note lang po namin is iyong iba ang date, iyong mga unsigned. Iyon po, Mr. Chair.

REP. ACOP. Ganoon.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Mr. Chair, I would just like to manifest that all these acknowledgement receipts are under the names of different persons pero wala po diyan iyong naulit diyan po sa sampu na iyan. But if you look at it, the names and signatures of different persons appeared to be written with the same pen with a distinct ink on different dates. I think this is a highly irregular bilang ako ay isang imbestigador.

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Now, Madam Attorney, you confirm that you have received these acknowledgement receipts as part of the submissions of the office of the Vice President to liquidate their confidential funds?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Okay. Now, would you agree with me that these ten acknowledgement receipts appeared to be written with the same color of ink? Yes?

MS. CAMORA. Like I said, Sir, it is either blue or black po kasi iyong ink.

REP. ACOP. Gusto ko lang malaman iyong sagot po ninyo.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Thank you. And this is a distinct shade of blue na almost black, parang may gradient po siya. Tama?

MS. CAMORA. I cannot remember, Mr. Chair.

REP. ACOP. Kaya nga ikaw ang sagot mo it is either blue or black kasi parang naglalaro iyong ink na ginamit sa blue or black.

MS. CAMORA. Yes, Mr. Chair. Common naman po iyon na nakikita namin either blue or black ang signature.

REP. ACOP. When you say common, sa lahat po ba ng opisina na in-audit ninyo ganyan?

MS. CAMORA. Either blue or black. Yes, Mr. Chair.

REP. ACOP. Blue or black din? Sa lahat ng opisina ng gobyerno na in-audit ninyo?

MS. CAMORA. Yes, Mr. Chair. Like kami rin, Sir, either blue or black po ang ginagamit namin.

REP. ACOP. Ha?

MS. CAMORA. Either blue or black din po iyong ginagamit namin.

REP. ACOP. And I would like to show kung ano iyong ink doon sa pag imbestiga namin. Iyan iyong kulay, it is Prussian blue. Would you confirm that this is the same or very similar color as the ones in the ARs that were submitted to you?

MS. CAMORA. Hindi ko na maalaala ang itsura, Mr. Chair.

REP. ACOP. Okay. Tignan po natin iyong kuwan, iyong pinirmahan ni Assistant or ASec Ortonio. Hindi po ba parehas iyong ipinakita ko na Prussian blue?

MS. CAMORA. Mukhang parehas, Mr. Chair.

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REP. ACOP. Ha?

MS. CAMORA. Mukha pong parehas.

REP. ACOP. Parehas. So, it is the same ink used by ASec Lemuel Ortonio, the Assistant Chief of Staff of the office of the Vice President. Tama?

MS. CAMORA. Mukha pong pareho, Mr. Chair.

REP. ACOP. Now, Mr. Chair, there have been also observations that there are acknowledgement receipts which bear the same or similar handwriting, parehas ang handwriting. May nakita rin po ba kayong ganoon, Madam Attorney, halos parehas ang handwriting doon sa mga ARs?

MS. CAMORA. Hindi naman po kami experts sa handwriting, Mr. Chair.

REP. ACOP. Hindi naman kailangan ng experts para makita kung minsan iyan. ComSec, pwede bang ipakita iyong kuwan, iyong picture ng halos parehas ng kuwan...ng handwriting? Iyong AR dated July 27, 2023, and July 25, 2023, kung puwede ipakita?

THE ACTING COMMITTEE SECRETARY. Sir, may I be acknowledged while we are waiting for the ICTS to fix the technical problem?

THE CHAIRPERSON. Yes, ComSec, you are acknowledged.

THE ACTING COMMITTEE SECRETARY. Your Honor, we would like to recognize Honorable Julienne “Jam” Baronda, Deputy Majority Leader, from the Lone District of Iloilo City; and Honorable Crispin Diego "Ping" Remulla, Vice Chairperson, from the 7th District of Cavite, Your Honors.

REP. ACOP. Attorney, bago natin... kasi nagkakaroon ng technical problem, puwede bang magtanong din ako ng...kasi hindi ako naliliwanagan dito sa kuwan...iyong there is a deficiency, I think, that you have noted that the payment of rewards to informers must be supported with documents evidencing the success...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. ACOP. (Continuing)...evidencing the success of the information gathering and/or surveillance activities on account of the information given by the informer.

MS. CAMORA. Yes.

REP. ACOP. Ito po iyong ginamit doon sa iyong YSL.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Tama?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Ano po iyong...ang aking pagkaintindi rito, correct me if I'm wrong, na dapat may makuha ng information na ginamit iyong confidential fund and that an activity was conducted because of that information and that information gathering and that activity were successful.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Tama po ba iyong...

MS. CAMORA. Tama po.

REP. ACOP. ...pagkaintindi ko?

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. Now, if I may ask, how would you know or how would you be able to find out na mayroong information na nakuha muna before they have conducted their YSL?

MS. CAMORA. Wala po kaming information on that. So, either may separate sila as part noong purchase of information and then separate iyong rewards or nabayaran na siya same with rewards.

REP. ACOP. Pero requirement po ninyo iyon, 'di po ba, requirement ng circular?

MS. CAMORA. Kaya po iyong ano, iyong additional requirement...

REP. ACOP. Because that is precisely the reason why you will justify the buying of information...

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. ...which would lead to the successful event or operation.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Hindi po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Kasi ginagawa rin namin noong nasa serbisyo ako niyan, eh. I know that.

MS. CAMORA. Yes, Mr. Chair.

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REP. ACOP. Pero parang, pagkaintindi ko sa inyong clearing instruments, parang hindi...just because there was a certification that the YSL—YLS pala—were successful, tama na iyon. Parang ganoon ang pagkaintindi ko. Samantalang noong kami ang nasa serbisyo, ang requirement is that ipapakita namin na may information kaming binayaran. And because of that information, an operation was conducted and it was successful. Hindi ba dapat ganoon?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Pero in the case of the confidential fund of the OVP and the DEPED, hindi ko nakikita iyon.

MS. CAMORA. Iyon nga po kaya pinag-require...ni-require namin silang mag-submit noong additional documents. And iyong nag-review po, naging sufficient na po iyong certification from the...iyong five certifications.

REP. ACOP. And that is enough to show na tama po iyong ginawa nila just because nag-submit sila ng certification that YLS was conducted and it was successful? Hindi ba ang concept dapat noon is you use confidential fund to buy information and because of that information bought or acquired you conduct an operation?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. And that operation should turn successful.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Eh, ganoon po iyong requirement sa amin noong nasa serbisyo kami, eh, iyong intelligence fund.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Basically, they are the same.

MS. CAMORA. Tama po, Mr. Chair.

REP. ACOP. So, bakit po naniwala kayo sa certification lang na successful iyong pag-conduct ng YLS?

MS. CAMORA. Since, iyon nga po, independent na agency po iyong nagbigay ng certification and sabi naman po niya na because of the YLS nga wala pong na-influence na mga bata, we deemed it successful. Compared po doon sa iyong sabi ninyo po kanina na iyong sa VPSPG Group, ang sinabmit *(submit)* lang po nila was a listing of the activities of the Vice President, which is wala naman pong information kung may success ba na...may successful activity ba na nagawa because of the information they have gathered.

REP. ACOP. Iyon iyong sa security group.

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MS. CAMORA. Sa...yes, Mr. Chair.

REP. ACOP. And is there any way that you will determine that the confidential fund of the OVP and DEPED, these funds were used sa activity ng kuwan, ng VPS Security Group? Kasi they have their own funds. That was the first question I asked you a while ago.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. That the Presidential Security Group and the...and part of that is the Vice-Presidential Security Group, may pondo po sila, eh, naka-allocate talaga.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. O, but they were not able to show if I'm...if I will appraise iyong documents, they were not able to show that confidential funds of the OVP and the DEPED were used in such activities.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Can you see that they were used?

MS. CAMORA. No, Mr. Chair. Kaya nga po hindi namin siya na-consider since iyong list of activities lang po ang sinabmit *(submit)* nila, which is alam nila since sila naman po iyong kasama ni VP sa mga activities na iyon.

REP. ACOP. But, anyway, may...hindi pa rin yata tapos. Page.

MALE VOICE. Ready na, Sir.

REP. ACOP. Ready na? Paki-show nga iyong kuwan, iyong acknowledgment receipts dated July 27 at saka July 25, 2023. Ipakita mo na lang sa kanya.

Madam Attorney, ipapakita ko na lang sa iyo iyong observation namin. Iyan lang, iyang...tingnan mo lang iyang receipt na iyan because I will ask questions.

Okay. Did you notice na iisa lang ang gumawa nito?

MS. CAMORA. Mr. Chair, sorry, tiningnan ko lang...

REP. ACOP. Iyon na nga ang sinasabi ko, eh, kaya tingnan mo. You observe it properly. Ayan na, ayan, ayan na. Akin na. Ayan. Nakita mo?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Would you confirm that these were submitted to your office?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Now, if you observe, kindly observe the letter J. Tama po ba na halos parehas iyong letter J diyan?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. Tama rin po ba na parehas din iyong color ng ink na ginamit at saka iyong lapad po ng pagkasulat?

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MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Would you be able to state, Madam Attorney, na these two receipts were written by the same person?

MS. CAMORA. Probably, Mr. Chair.

REP. ACOP. Probably. Pero these are two different acknowledgment receipts indicating different dates...

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. ...and indicating different payees. How can that be?

MS. CAMORA. Puwede naman pong either of those two persons wrote the same and then someone else signed.

REP. ACOP. So, that is regular? No.

MS. CAMORA. I'm not saying regular po pero it could happen.

REP. ACOP. Hindi nga, eh, tinatanong ko nga, eh. Nagkakaroon tayo ng observation.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Now, do you think this is regular? No.

MS. CAMORA. No.

REP. ACOP. Thank you.

Mr. Chair, ipakikita po natin dito na there are certain things na irregular insofar as the DEPs or acknowledgment receipts submitted by the two offices doon po sa COA.

Now, I would like to point again another observation which we have made. This time an acknowledgement receipt with the name KV that repeats in OVP and DEPED acknowledgment receipts. Kindly show iyong OVP at saka DEPED acknowledgment receipts. O, parehas lang iyan, nandoon sa OVP, nandoon pa sa DEPED. Hindi ninyo napansin ito?

MS. CAMORA. Hindi po, Mr. Chair, since na-audit siya ng magkaibang time.

REP. ACOP. Okay. Pero would you confirm that the two ARs parehas ang pangalan na KV?

MS. CAMORA. Hindi ko na maalala iyong exact document, Mr. Chair.

REP. ACOP. Sige, *hija,* I'll give you the benefit of the doubt...

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REP. ACOP. (Continuing)...benefit of the doubt.

Again, Mr. Chair, puwede po bang ipakita natin iyong...iyong last AR dated 12-30-2022? Sinabmit *(submit)* din ba ito sa inyo?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Ha?

MS. CAMORA. Yes.

REP. ACOP. Yes?

MS. CAMORA. Basta lahat po ng sinabmit *(submit)* namin po, Mr. Chair, sa inyo, galing sa amin po.

REP. ACOP. O, sige. Iyon ang binigay ninyo sa Committee.

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Tama, na nabasa namin?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Yes. The name would read, tama po ba, Mary Grace Piattos?

MS. CAMORA. Piatty?

REP. ACOP. Ha?

MS. CAMORA. Piatty?

REP. ACOP. Piattos.

MS. CAMORA. Piatty?

REP. ACOP. Ang pagkabasa ko Piattos, eh.

MS. CAMORA. Y po iyong last.

REP. ACOP. Y, hindi S?

MS. CAMORA. May ano po siya, eh.

REP. ACOP. Iyon, o. Tingnan mo.

MS. CAMORA. Y po since masyado nang mababa iyong tail.

REP. ACOP. Okay.

Now, sa tingin mo, totoong tao iyan? What's your opinion?

MS. CAMORA. It could be a person.

REP. ACOP. It could be a person. Pero would you know na mayroong restaurant na Mary Grace ang pangalan?

MS. CAMORA. Yes, Mr. Chair, Cafe Mary Grace.

REP. ACOP. At mayroon ding Piattos na brand ng potato chips?

MS. CAMORA. Yes, Mr. Chair.

REP. ACOP. Would you know that?

MS. CAMORA. Yes, Mr. Chair.

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REP. ACOP. Yes, oo. Anyway, at least, alam mo rin pala ang mga iyon.

Now, Mr. Chair, I would just like to repeat what I have said a while ago na everything na tinanong ng aking mga kasamahan tungkol sa documentary evidence of payments or acknowledgment receipts ay karamihan po ay hindi po totoo. And, therefore, if hindi po totoo, hindi natin malalaman kung saan talaga napunta iyong pondo, iyong confidential fund, until and unless we would be able to grill iyong mga...iyong dalawang SDOs—the SDO of the Office of the Vice President and the SDO of the Department of Education, si—sino?—si Madam Acosta yata at saka iyong isa.

So, we can only...we can only surmise, Mr. Chair, na iyong pondo, dalawa lang ang pupuntahan lang noon, eh—kagaya ng sabi ko, sa bulsa or nagamit po sa ibang bagay, both hindi po tama. Kasi kung ginamit sa ibang bagay and I think the lawyers of COA would agree with me that there's technical malversation kasi iba ang purpose ng pondo, ginamit sa iba.

Thank you, Mr. Chair. Marami pong salamat sa opportunity.

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Acop.

The Chair would like to recognize the Deputy Speaker, Jay-Jay Suarez.

REP. SUAREZ. Maraming, maraming salamat, Mr. Chair.

Kanina ho ay pinakikinggan ko po iyong mga katanungan ng ating mga kasamahan dito sa Committee, kasama na rin po iyong mga tanong ni Congressman Romy Acop. At nakakapagbalik-tanaw po tayo ng kaunti at naalala ko po iyong panahon na nagkakaroon ng Senate hearing sa Napoles na parang ganito't ganito din iyong mga lumalabas—na maraming mga acknowledgment receipts na diumano, fabricated; diumano, gawa-gawa at parang hindi po maipaliwanag kung paano po ito tumutugma base po doon sa pondong nailaan para sa kanya.

Gusto ko lang pong tanungin iyong COA. Base po doon sa ilang mga acknowledgment receipts na ipinakita sa atin ng ating mga kasamahang Mambabatas, mayroon po kaming napansin doon na parang dalawang daan na acknowledgment receipts na signature lang, walang pangalan. Ito po ba ay pumapasa sa qualifications ng Commission on Audit?

MS. CAMORA. For...For now, Sir, ina-accept namin iyong signature lang, although from year onward, siguro po, require namin na name and...name...at least, name and signature.

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REP. SUAREZ. Yeah. Because I think we really have to look into these matters strictly. Kasi pag sinabi mong acknowledgment receipt, tumatanggap ka.

MS. CAMORA. Yes, Mr. Chair.

REP. SUAREZ. May...may...Mayroon kang tinatanggap na pera, goods or services from government.

MS. CAMORA. Yes, Mr. Chair.

REP. SUAREZ. And how can you substantiate if that person in that acknowledgment receipt exists kung signature lang? So, is there any COA memorandum or policy when it comes to acknowledgment receipt guidelines?

MS. CAMORA. For now, since ina-accept po namin iyong signatures lang, wala po kaming ibang basis kundi iyong sa joint circular. But we will try to ano, parang supplemental na po iyong mga ibang COA issuances. I will...

REP. SUAREZ. No, no. My question, Ma'am, is, is there a policy by COA when it comes to requirements of acknowledgment receipts? What are the requirements in that paper so that COA can deem them acceptable?

MS. GEMORA. May I be permitted to speak, Your Honor?

THE CHAIRPERSON. Yes, Ms. Sofia Gemora. You are recognized by the Chair.

MS. GEMORA. Thank you, Your Honor.

As to the regular audit, I'm...I'm veering away with the confidential fund because it has a joint circular, you know, as a parameter. So, in...in COA, pardon me, Your Honor, I cannot recall the memorandum but we have this rule that we can...reimbursable expense...the...what we call RER, receipt, reimbursable expense receipt, is an...is acceptable up to 1,000 pesos and below. Other than that, of course, we need, as it is now, an invoice and if any—what's this?—signature, it would, of course, accompany the full name of therecipient or those that signed on...on the particular receipts.

REP. SUAREZ. Yeah. Thank you very much.

Actually, that's the memo that I was pointing out to Ms. Camora. Mayroon po talaga kasi iyon sa COA na kinakailangan full name ang nakasulat doon at nabasa ko na rin po iyon. Kaya nga po nakakapagtaka dito po sa 612 million pesos, where acknowledgment receipts were submitted by the Office of the Vice President and by the DEPED Secretary then, ang dami po talagang red flags na nakita po ng Committee. So, unang-una ho, signature lang; pangalawa ho, mayroong migrant beneficiaries. When I say migrant beneficiaries, they receive funds from the

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confidential funds of the DEPED and they receive funds from the confidential funds of the Office of the Vice President. Other than that, there are also instances where individuals receive funds many times, numerous times from the confidential funds. Other than that, may instances din po na nakita namin na iyong mga safehouse na lang po na binanggit ni Chairman, parang hindi po namin masyadong maunawaan kung papaano ka gagastos ng 15 million pesos per quarter on safehouses under the Office of the Vice President, bukod pa po doon iyong safehouses na binabayaran din under Secretary of Education. So, of course, documentary requirements are submitted to you. But, you know, these, Mr. Chair, raise a lot of questions and red flags, from my...from my point of view...

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REP. SUAREZ. (Continuing)...from my point of view. Kaya nga po nakakalungkot na wala po dito iyong mga SDO at saka si Ms. Lopez na nalaman po pala natin ay umalis po kagabi papuntang Los Angeles, California, because these are questions that they should actually be answering, am I right, Usec. Poa? These are questions that they should be answering?

MR. POA. Based on the documents, Your Honor, Mr. Chair.

REP. SUAREZ. Based on the documents, correct, because they are the signatories to the documents.

So, with that being said, siguro para sa COA, tulungan niyo na lang kami. I think we need to come up with better guidelines, especially when it comes to requirements of acknowledgment receipt so that ito pong mga pagma-magic na nangyayari ay hindi po mangyari dahil ang pinag-uusapan po natin dito ay pera ng mamamayan. Hindi naman ito pera ng iisang tao, eh. Pera ito ng Pilipino na dapat po nating inaalagaan.

REP. ABANTE. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Congressman Abante, you are recognized.

REP. ABANTE. Gusto kong malaman kung tapos na ang...tapos na ang imbestigasyon ng COA dito sa Notice of Disallowances na inyong binigay sa office ng Vice President. Tapos na po ba lahat ng imbestigasyon?

MS. CAMORA. Mr. Chair, doon sa Notice of Disallowance, inaantay pa po namin kung mag-a-appeal sila, so hindi pa po final. Iyong iba pong mga audit observation memoranda na issued po nila, nag-submit na po sila ng compliance and iyon po iyong mga pinag-aaralan po namin ngayon.

REP. ABANTE. Okay. So, hindi pa kayo tapos, ano po?

MS. CAMORA. No, Mr. Chair.

REP. ABANTE. Ilang porsyento na po ang natapos niyo, for example, like mayroon na bang 50 percent, or 60, or 70 percent?

MS. CAMORA. Considering po na gusto niyong magpaka-strict kami today, may mga nire-reaudit po kami and hindi pa po namin ma-issue iyong next, which is iyong Notice of Suspension.

REP. ABANTE. Okay. So, hindi niyo maaaring masabi kung ilang porsyento na ho lahat?

MS. CAMORA. Mr. Chair, parang tatlong tao po iyong...tatlong ibang team members iyong iba-ibang AOM so hindi po...hindi ko po masabi ngayon iyong exact na...iyong status na po ng...

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REP. ABANTE. Sa mga natapos po ninyo, Mr. Chair, mayroon ba kayong nakitang improper disbursement o mga violations po ng disbursement ng confidential fund?

MS. CAMORA. Mr. Chair, hindi ko pa po nare-review iyong audit, so hindi ko pa po masabi ngayon, Mr. Chair. Nasa auditors pa po.

REP. ABANTE. Mayroon pa ho bang ibang pondo na aside from the confidential fund na inyo pong ini-imbestigahan?

MS. CAMORA. Sa ICFAO po, confidential and intelligence fund lang po kami.

REP. ABANTE. Ah, iyon lang po ang inyong ini-imbestigahan?

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. Okay. Iyon lang po ah...

MS. CAMORA. Iyong buong bansa po.

REP. ABANTE. Nakikita ko nga ikaw iyong sa intelligence and confidential fund ka lang muna, 'no.

MS. CAMORA. Yes, Mr. Chair.

REP. ABANTE. So, mayroon bang iba dito na kasama natin sa COA na ini-imbestigahan pa ang ibang mga pondo ng Office of the Vice President maliban sa intelligence and confidential fund?

MS. GEMORA. Your Honor, if I may. We have the regular audit team, which we are representing here, regular audit team for the Office of the Vice President. Our team is here.

REP. PADUANO. Chairman.

REP. ABANTE. So, therefore, totoo, Mr. Chair, when you speak of the regular budget of the Vice President, so are you able...mayroon ba kayong in-issue? Did you issue any Notice of Disallowances on some of the regular funding of the Vice President or no?

MR. FAHAD BIN ABDUL MALIK N. TOMAWIS (State Auditor, Audit Team Leader, National Government Audit Sector, Cluster I Executive Offices, Commission on Audit). May I be recognized, Mr. Chair.

THE CHAIRPERSON. Yes, Fahad Tomawis, you are recognized.

MR. TOMAWIS. For the audit of CY...Calendar Year 2023, we have not yet issued...we do not issue any disallowances po.

REP. PADUANO. Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

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REP. PADUANO In relation to the query asked by ano...by Vice Chair Abante, gusto ko lang pong linawin, COA, kasi ang tanong ni Chairman Abante refers to...and your answer, I think, 'no, if I'm right, refers to other items kasi tapos na kayo, eh, doon sa Notice on Disallowance, 'di ba?

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Tapos na kayo doon.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Iyong sagot mo kanina question of Notice of Suspension at saka...

MS. CAMORA. Ah, iyong...

REP. PADUANO. Magkaiba iyon.

MS. CAMORA. Yes, Mr. Cahir.

REP. PADUANO. Ibang items iyon.

MS. CAMORA. Ibang...

REP. PADUANO. Linawin na natin. But the subject...

MS. CAMORA. Iyong ibang...

REP. PADUANO. Sandali po, let me finish first. But the subject matter of this investigation refers to the Notice of Disallowances that you issued, 'di ba? Magkaiba iyon, boss. Tapos na sila. Tapos na sila dito. They are waiting for the reply within six months.

MS. CAMORA. Appeal po, Mr. Chair.

REP. PADUANO. And the deadline will be on?

MS. CAMORA. February 2024.

REP. PADUANO. O, iyon.

MS. CAMORA. February 5.

REP. PADUANO. Again, Mr. Chair, I have pointed this out during the previous hearing, 'pag AOM kasi, okay, you issue an AOM for the confidential and intelligence fund for the Office of the Vice President, nag-issue kayo ng AOM and they are allowed...

MS. CAMORA. Fifteen days to answer.

REP. PADUANO. ...15 days. After 15 days, you validate the reply, then you issued a Notice of Disallowance.

MS. CAMORA. Notice of Suspension. Notice of Suspension po.

REP. PADUANO. Ah, Notice of Suspension if continuing.

MS. CAMORA. Yes po.

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REP. PADUANO. Tama, 'di ba?

MS. CAMORA. Yes po.

REP. PADUANO. Now...Then, after that, you issue a Notice of Disallowance.

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. Now, kaya ang sagot dapat doon sa tanong ni Chairman Abante, tapos na kayo.

MS. CAMORA. As to iyong ND po, Mr. Chair.

REP. PADUANO. Kaya nga, eh. Kaya nga, eh.

MS. CAMORA. Opo.

REP. PADUANO. Kasi iyong subject matter dito is all about the Notice of Disallowance.

MS. CAMORA. Opo.

REP. PADUANO. And we will talk about it again if somebody will...will file a resolution to further investigate on the point that you have raised with regards to the three items that is not yet final...

MS. CAMORA. Opo.

REP. PADUANO. ...iyong ano niyo...iyong audit niyo, 'di ba?

MS. CAMORA. Opo.

REP. PADUANO. With regards to confidential and intelligence fund, tama?

MS. CAMORA. Yes, Mr. Chair. Yes, Mr. Chair.

REP. PADUANO. So, malinaw po iyon. That is why, in aid of legislation with regard to this investigation, Mr. Chairman, again, I would just like to reiterate iyong question of the timetable given to the agency with regards to the Notice of Disallowance is too long. Sabi nga nila, justice delayed, justice denied. Why it will take six months, sige nga. Bakit six months? Because they have already submitted all the necessary documents and it turned out in your investigation, in your audit, lumalabas na may mga problema that's why you issued a Notice of Disallowance, 'di ba? Kaya nga, Mr. Chairman, I hope question of the Charter, or MCs, or even the appeal, or a law should be passed with regards to the confidential and intelligence fund, Mr. Chairman, should be filed and passed by this Congress kasi...Kaya nga ang question of...question daw ng appropriateness of this investigation. Sa case lang po ng confidential and intelligence fund, we have to file a bill and pass a law with regards to it so that it cannot be abused anymore and only those agencies of government that will be given such fund.

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And second is question of the COA...the mandate of COA. It should not be six months after issuing a Notice of Disallowance. It should be put as part of the provision of the Charter or the mandate of COA, Mr. Chairman. Well, in fact, I will discuss later. Siguro napaghandaan niyo na iyong Memorandum Circular 97-002 in relation to the mandate of BTr, in relation to special cash advancement, in relation to the SDOs. Eh, iyon iyong mga bagay na dapat we have to legislate laws kasi kahit iyong binding law natin napakatagal na iyon, 'di ba, and memorandum circulars lang ang pinapalabas natin. Well, in fact, may issue pa doon sa SALN and I will discuss it later.

But, again, Mr. Chairman, just to point it out and for the record, question of Notice of Disallowance with regards to the confidential fund being tackled in this reso...in this hearing was already settled. The question now is iyong six months, tama po? And you just wait because we have...again, if somebody will stand to deliver a privilege speech or file a resolution with regards to the continuing audit...

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REP. PADUANO. (Continuing)...continuing audit being made by your department doon sa confidential and intelligence fund, and that's the time we will discuss again the three items you have mentioned. Tama?

MS. CAMORA. Tama po, Mr. Chair. Na-confuse lang po ako kasi for the past how many hearings, in-include po sa...in-include po sila tuwing nagtatanong tungkol doon sa subsequent AOMs kaya po iyon po iyong nasabi ko.

REP. PADUANO. And we cannot discuss it because the germane of this...of the Privilege Speech of the Honorable Valeriano is all about the documents you have submitted, the notice of disallowance. Tama?

MS. CAMORA. Hindi lang po iyon iyong pina-submit sa amin, Mr. Chair, eh. Even 2023 po pina-submit sa amin.

REP. PADUANO. Hindi. But is it part of now the Committee...the COA audit report that you have submitted? It is part of the notice of disallowance being issued by COA?

MS. CAMORA. It's a different period po.

REP. PADUANO. O, kaya nga, eh. Kaya nga ang sinasabi ko, we will discuss lang muna with regards to the notice of disallowance...

MS. CAMORA. Yes, Mr. Chair.

REP. PADUANO. which is...Mamaya, mamaya, magtatanong din ako diyan.

Thank you, Mr. Chairman.

REP. ABANTE. Mr. Chair. Mr. Chair.

THE CHAIRPERSON. Congressman Abante, you are recognized.

REP. ABANTE. With the query of Congressman Paduano and your answer of being able to finish all the investigations and you said that medyo na-confuse ka lamang, 'di ba, so, ibig sabihin, you're telling it to us now with finality that all of the investigations for the confidential and intelligence fund of the Vice President is already finished? Is that what you're saying?

MS. CAMORA. No, Mr. Chair. Iyong 2022 lang po ang ND. Iyon na po iyong last na-touch ng ICFAO po. Iyong 2023 po ng OVP at 2023 ng DEPED are...iyon po iyong ongoing ang audit.

REP. ABANTE. Ah, so, mayroon pong ongoing na investigation on that?

MS. CAMORA. Yes, Mr. Chair. Kaya po...

REP. ABANTE. Okay.

MS. CAMORA. ...sabi po ni Mr. Chair na ano, iyong ND lang po ang idi-discuss kasi iyong iba po, sabi po niya, ongoing pa po iyong audit.

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REP. ABANTE. So, you're giving that six months, 'no, the finished investigation and the ongoing investigation, six months. Ganoon po ba?

MS. CAMORA. No, Mr. Chair. Iyong six months is for the notice of disallowance po which is nasa rules po namin.

REP. PADUANO. Mr. Chairman, six months for the Office of the Vice President to comply and answer that notice of disallowance.

REP. ABANTE. Comply, oo.

REP. PADUANO. And then, Commission Proper na. The Commission Proper…

MS. CAMORA. To appeal po.

REP. PADUANO. Sorry.

MS. CAMORA. To appeal po iyong proper…

REP. PADUANO. Kaya nga iyong appeal, 'di ba?

MS. CAMORA. Opo.

REP. PADUANO. Then, the Commission Proper, after six months, will decide.

MS. CAMORA. They will rule on it.

REP. ABANTE. Pero, Mr. Chair, ang sinabi niya kanina, natapos na iyong 2022, 'di ba?

MS. CAMORA. Iyon po iyong subject ng ND.

REP. ABANTE. Ang ongoing ngayon is 2023 and 2024. So…

MS. CAMORA. Wala pong 2024.

REP. ABANTE. Ah, no 2024. So, therefore, ano iyong sinasabi ninyong six months na notice of disallowances na kino-comply dapat ng Vice President?

MS. CAMORA. Iyong confidential funds po ng 2022 ng OVP, umabot na po siya sa notice of disallowance. So, from the time that we issued the notice of disallowance, they have six months po to file their appeal with the Commissioner Proper ng COA. Iyong iba pong dini-discuss natin pertains to confidential funds ng 2023 po, hindi pa po iyon notice of disallowance. Na-AOM pa lang po siya kaya hindi pa po siya comparable doon sa ND ng 2022 na subject to appeal na po.

REP. ABANTE. Mr. Chair, Congressman Acop made a statement kanina about cash advances that was made, ano. So, let me ask, ilang cash advances iyon na ginawa nila?

MS. CAMORA. Apat po sa Office of the Vice President and tatlo po sa DEPED.

REP. ABANTE. And all of those are deposited sa Land Bank, correct?

MS. CAMORA. Yes po, Mr. Chair.

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REP. ABANTE. Okay. Land Bank, did you allow cash advances? Do you allow cash advances?

THE CHAIRPERSON. Sino po ang sasagot sa Land Bank?

REP. ABANTE. Is that one of the rules? Do you allow cash advances?

THE CHAIRPERSON. AVP Camposano, you are recognized.

MR. RAFAEL CHRISTOPHER L. YAP (Representative, Special Legal Concerns Department, Land Bank of the Philippines). Mr. Chair, may I be recognized, please.

THE CHAIRPERSON. Yes. Atty. Rafael Yap, you are recognized.

MR. YAP. Mr. Chair, I'd like to apologize. But we'd like to manifest that we cannot answer the question right now because we were still…we received the invite to attend in today's hearing after 4:00 p.m. yesterday. So, we beg the Committee's indulgence to allow us to provide the info once we collate and cleared po sa aming office.

REP. ABANTE. Mr. Chair, I'd like to make a motion for Land Bank to submit to us all the information on the cash advances made by the Office of the Vice President. Can you please do that, Mr. Chair?

MR. YAP. So, we will provide…Mr. Chair, we will provide the info after…once we…once cleared na po sa aming office po.

REP. ABANTE. But once again, Mr. Chair, my question was not actually answered. My question is, do you allow cash advances?

REP. PADUANO. Chairman. Chairman.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. Anyway, Mr. Chairman, of course, cash advancement…ito, cash advancement for the OVP will not be subject of decision for the Land Bank. But, siguro, ang tanong is, do you allow check encashments? Do you allow? It's just a matter of policy. Do you allow?

MR. YAP. Yes, Mr. Chair.

REP. PADUANO. O, yes, iyong check encashment. But cash advances, of course…

REP. ABANTE. 'Pag cash advances.

REP. PADUANO. No, check encashments. So, you allow?

MR. YAP. Yes, Mr. Chair.

REP. PADUANO. Ano, Chairman, anyway, mara…may mga tanong pa ako kasi ang naka…ang susunod, eh, si Cong. Mika pa.

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THE CHAIRPERSON. Mika Suansing. The next interpellator is Congresswoman Mika Suansing. You are recognized.

REP. MANUEL. Mr. Chair, if okay lang na…With the indulgence of Cong. Mika, I have a few related questions doon sa mga nabanggit din noong iba nating kasama.

THE CHAIRPERSON. Okay. Okay po sa inyo, Congresswoman?

REP. MIKAELA ANGELA B. SUANSING. That's okay. That's okay, Mr. Chair, because my interpellation would be in a very different topic po.

THE CHAIRPERSON. Okay. Yes. The Chair recognizes Congressman Manuel.

REP. MANUEL. Thank you, Mr. Chair. Thank you, Cong. Mika.

Mr. Chair, sa COA din po addressed iyong mga tanong ko dahil ilang beses na na-mention iyong pag-justify nang paggamit ng confidential funds through payment for purchase of information aside sa iba pang mga binanggit na dahilan kung saan ito ginastos. Mr. Chair, iyong purchase of information isa din siya doon sa mga lumitaw na…eh, 'di, may maraming mga acknowledgment receipts na kaduda-duda, actually. Kaya, Mr. Chair, ang tanong ko po sa COA, noong binanggit po ng OVP at saka ng DEPED na may mga pinaggamitan, may mga taong binayaran in exchange for the information that they provided, diumano, sa mga ahensiya na ito, Mr. Chair, usually, ano'ng mga aktibidad po ito maliban doon sa na-mention na iyong mga youth leadership summit para daw mangyari iyon, ganyan? Ano pa iyong ibang mga tipo ng aktibidad under OVP or DEPED?

MS. CAMORA. Mister…

THE CHAIRPERSON. Atty. Camora, you are recognized.

MS. CAMORA. Mr. Chair, iyong kung ano po iyong nasa accomplishment report nila, iyon po iyong activities na pinagkakagastusan nila noong pondo po.

THE CHAIRPERSON. So, ibig sabihin, Mr. Chair, kasi iyong sa OVP for 2022, ito iyong parang pahabol na nagastos in 11 days na confidential funds. Ang activities po noon ng OVP ay mayroon daw mga outreach program, mayroong mga pamamahagi noong mga Christmas gifts, ganyan. Bahagi din po ba iyon noong mga na-cite na para maging successful ang mga iyon diumano ay kinailangan ng impormasyon kaya gumamit ng confidential funds?

MS. CAMORA. 'Pag sa purchase of information, Mr. Chair, hindi po required kasi iyong evidence of success. Required siya 'pag sa payment ng rewards kasi it presupposes na there could be a separate payment for the purchase of information and then separate po ulit iyong reward for the success because of that information purchased.

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REP. MANUEL. Okay. So, given that, Mr. Chair, so kung doon tayo particular sa purchase of information, iyon, ano-ano pong mga aktibidad iyong na-cite ng OVP man or ng DEPED…

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REP. MANUEL. (Continuing)...OVP man or DEPED na kung saan kinailangan nilang gumastos for purchase of information using confidential funds?

MS. CAMORA. Mr. Chair marami po iyong sinabmit *(submit)* ng VP-SPG na ano list of activities ng information. And I think...

REP. MANUEL. Sige. Mr. Chair, like ano na lang pong mga tipo ng activity? Kahit hindi po ma-enumerate, pero mabanggit po ano-ano iyong mga kinds of activities na iyon?

MS. CAMORA. Like for example...mga specific activities po ito, Mr. Chair, like, for example, Knights of Rizal Supreme Council noong December 15; consultation with barangay chairmen ng Maynila ng December 17; and then pasasalamat...

REP. MANUEL. Sorry, Mr. Chair. Puwede po paulit para lang po mas malinaw. Ano po iyong una at saka pangalawang nabanggit?

MS. CAMORA. Iyong una po ano... unahin ko na lang po dito based sa listahan. December 13, Department of Education, 2022 Partners Appreciation Night in Mandaluyong; and then December 15, Knights of Rizal Supreme Council 60th Year of Institute in Baguio City Youth Campaign on Patriotism; and then December 17, marami po itong activities; mga Christmas activities sa Tondo; Consultation with Barangay Chairmen ng Maynila, in Manila; Pasasalamat and Update Meeting with Barangay Batasan Hills Quezon City. Mga halos ganito po.

REP. MANUEL. Okay.

MS. CAMORA. And then Coordination Meeting with Task Force Davao in Davao City; and then Christmas Activity with SPED students in Davao City. Mga ganitong nature po.

REP. MANUEL. Okay.

Mr. Chair, how about iyong 2023 for OVP?

MS. CAMORA. 2023, Mr.Chair, ongoing pa po iyong audit, so hindi ko pa po nakita iyong list ng activities po nila.

REP. MANUEL. Okay. Mr. Chair, how about 2023 DEPED, liban doon sa mga Youth Leadership Summit?

MS. CAMORA. Iyong sa Youth Leadership Summit, iyong sa...five certifications po iyon, pero hindi po iyon activity ng DEPED.

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REP. MANUEL. Precisely, Mr. Chair, kaya gusto nating malaman, maliban doon, kasi lumitaw na dito sa Committee na sinayt *(cite)* iyon ng DEPED pero idi-dispute din pala ng Philippine Army na gumastos iyong DEPED for that. So, mayroon bang ibang mga DEPED activities na iyon iyong sinasayt *(cite)* pa ng DEPED na ibang pinaggamitan noong kanilang confidential funds?

MS. CAMORA. Ito pa iyong based on their acknowledgement receipts. Mayroon pa silang abuse prevention and control within schools; anti-extremism/terrorism programs; anti-illegal activities operations; counterinsurgency, iyon po. And then under each activity iyon na po iyong payment of rewards, payment of information. Iyon po iyong, ano, content ng acknowledgement receipts nila and iyong accomplishment report po.

REP. MANUEL. Tapos mayroon din pong mga naka-attach na accomplishment receipts para doon sa purchase of information para sa mga iyon?

MS. CAMORA. Yes, Mr. Chair.

REP. MANUEL. Okay.

Mr. Chair, doon sa purchase of information kasi bago pa man nag-grant ng confidential fund sa DEPED at saka sa OVP, eh, di nag-ga-grant na sa iba pang ahensya. Tapos kapag purchase of information, eh, di parang wala naman iyang isang rate lang.

So, Mr. Chair, usually pag nakakarating na sa COA iyong mga acknowledgement receipts or kung ano umang ebidensya, ano po ba ang range usually kapag mayroong mga nagpapasa ng ganoong mga like proof na ginastos daw for purchase of information? Ano po iyong kadalasang range kapag purchase of information iyong pinagkagastusan?

MS. CAMORA. Mr. Chair, iba-iba po kasi. Depende sa agency and depende sa budget nila.

REP. MANUEL. So, Mr. Chair...

MS. CAMORA. So, wala pong definite na masabi na this range to this range.

REP. MANUEL. Sige. So, kapag ganoon, Mr. Chair, puwede din siyang maging discretionary kasi ibig sabihin kung ano ang tantiya noong mga officials na iyon iyong amount na necessary para ma-entice ang isang tao to provide information.

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MS. CAMORA. Part po noong cash advance na documents na sina-submit nila is a physical and financial plan. So, somehow doon sa PFP nabi-breakdown na po doon kung ano iyong sa tingin nila pupuntahan noong pondo po.

REP. MANUEL. Okay.

MS. CAMORA. So, iyon iyong plan and then later on iyong accomplishment report is iyong actual kung saan po nila na spend iyong pondo.

REP. MANUEL. So, iyong plan tsini-check iyon ng COA bago aprubahan na sige i-grant iyong confidential funds for that agency.

MS. CAMORA. Yes po. Sa cash advance po.

REP. MANUEL. Okay. Thank you po doon sa mga sagot, Mr. Chair, kasi kung ganoon nga iyong lumilitaw na parang madali palang mag imbento ng proof of payment, lalo na based doon sa mga ipinakita kanina, mayroon pang mga visual na pagpapakita sa ating mga kababayan na kung mayroong kahit sinong opisyal, lalo na kapag nasa matataas talaga na mga antas, kung dumating sa punto na gustong gamitin iyong pera ng bayan para sa sariling interes o sa mga masasamang balak ay madali talagang malusutan iyong current na systems na mayroon tayo na supposedly ay dapat nga lalo kung nagbibigay ng confidential funds, ang assumption diyan ay mayroong kumpiyansa or confidence doon sa kung kanino o saang ahensya nag-ga-grant noong pera.

Pero it seems na lalo po kung purchase of information, ang isang madalas na isayt *(cite)*, Mr. Chair, ay malaki iyong room for discretion para magsabi lang, halimbawa, "Okay, ganitong amount ibibigay ko sa ganitong tao kasi nagbigay siya ng information," pero hindi rin...wala tayong sapat na batayan para masabi na naging effective, na accomplish ng ganoong mga purchase of information iyong kanilang intent.

And, so to wrap up, Mr. Chair, lalo na't I can really recall na noong 2022, doon pa lang noong formally na bahagi noong proposal ng OVP at saka ng DEPED iyong confidential funds ay ginagamit pa actually iyong bahagi ng ating constituency, mga kabataan at mga bata, para i-protect diumano iyong kanilang interes, i-defend iyong kanilang welfare, protektahan daw sila mula sa mga gumagamit ng droga, child abusers, child exploiters.

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Pero as it seems, Mr. Chair, I do not think mayroong mga members ng Committee who are actually convinced na naprotektahan natin iyong mga bata at mga kabataan dahil sa pag-grant ng confidential funds both sa OVP at saka sa DEPED.

So, I really hope na maliban sa mapigilan na natin iyong ganitong abuso sa confidential funds, iyong mga hindi rin talaga nagpakita na katiwa-tiwala sila sa paggamit ng pondo dapat hindi na natin hayaan na magkaroon ulit sila ng access sa ganitong pondo lalo na't pera ito ng ating mga kapwa Pilipino, pinaghirapan, nagbabayad ng buwis, para sa pinagbabadyetan *(budget)* ng Kongreso.

Iyon lang, Mr. Chair. Maraming salamat po.

THE CHAIRPERSON. Thank you, Congressman Manuel.

The next interpellator is Congresswoman Mika Suansing.

REP. ADIONG. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Zia.

REP. ADIONG. With the indulgence of Congresswoman Suansing and with the permission, of course, of my colleague. I'd just like to make a manifestation, quick manifestation, Mr. Chair.

THE CHAIRPERSON. What is your manifestation?

REP. ADIONG. Yes, Mr. Chair. Well, apparently, I share the disappointment of some of the Members here. I, for one, have... want to ask questions to certain individuals, invitees who apparently are not around. So, I noticed we are hitting roadblocks here by their consistent refusal to attend these committee hearings.

But then again, Mr. Chair, may I request perhaps to the Chairman, I believe you have already sent invitation to the DBM.

THE CHAIRPERSON. Yes.

REP. ADIONG. Yes. And the questions that I have, Mr. Chair, is on the... not only on the utilization...

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REP. ADIONG. (Continuing)...not only on the utilization of the confidential funds, but as well as the manner by which these are being requested from DBM, how it was requested, when it was requested, Mr. Chair. So, I believe, Mr. Chair, if...with the indulgence of this Committee, that I would also like to reiterate the invitation that we have sent already to DBM particularly, Mr. Chair, on the Bureau on Budget Management-C. Because I noticed the request from the OVP has been made through this office and the correspondence between the OVP and the DBM is also between the office of the Budget Management Bureau-C and as well as the budget officer of the OVP.

So, if I may request, Mr. Chair, that by next time we also send an invitation on this particular bureau under the office of the...under the Department of Budget and Management. So that, for this humble Representation, should there be any non-attendance again of the individuals that we are requiring them to attend in the next Committee hearing, I...at least, I have somebody to ask for clarification, Mr. Chair. So, again, that would be my simple manifestation. I just like to put that on record, Mr. Chair.

Thank you.

THE CHAIRPERSON. Thank you, Congressman Adiong. The ComSec, you are...please take note of the manifestation of Congressman Adiong.

Yes...

THE ACTING COMMITTEE SECRETARY. Noted, Your Honor.

THE CHAIRPERSON. ...Congressman Mika, you are...please proceed to your interpellation.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

Mr. Chair, if I...with the indulgence of the Chairman, I would like to move to a different topic.

So, throughout the hearing we've been talking about the confidential funds and how the OVP has disbursed the confidential funds. But, with the indulgence of the Chairman, I would like to move to looking into the regular funds and the disbursement of the regular funds of the Office of the Vice President, Mr. Chair.

THE CHAIRPERSON. Please, proceed.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

Mr. Chair, if I may, may I request the ComSec to please flash some slides. I prepared some slides to illustrate the figures in terms of the pattern of expenditure of

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the Office of the Vice President from the years 2021 to year 2025 as proposed in the National Expenditure Program.

Mr. Chair, I would like to highlight a couple of things on the slide. Before I start, I would like to put some caveats. I was able to put figures in 2021 and 2022 based on the COA Annual Audit Report. So, these are reflective already, Mr. Chair, of the actual expenditures. For the years 2023 and 2024, we are still waiting for COA to release the Annual Audit Reports. So, I based the approximate of the expenditure on the amounts on the GAA or the General Appropriations Act. And then, for 2025, Mr. Chair, I based it off on the proposal of the Office of the Vice President for the budget as reflected in the NEP or the National Expenditure Program, Mr. Chair.

So, Mr. Chair, before I proceed, I would like to pose a question to COA. COA, nagawa ninyo na po ba iyong Annual Audit Report ng OVP for the year 2023? Kasi, as per checking po, wala pa pong naka-upload sa COA website for 2023.

THE CHAIRPERSON. Miss Sofia Gemora, you are recognized.

MS. GEMORA. Thank you, Your Honor.

As to the publication for the 2023 Annual Audit Reports, not only for the OVP but for all of the COA Audit Reports, duly transmitted to respective auditees or management, we...our Chair, in relation to the General Appropriations Act that were...that was released for 2024, issued a memorandum that publication of the COA Audit Reports duly transmitted to the audited agencies will be uploaded by December 1 onwards, which publication will include the AAPSI or the status of action taken by the management on the audit observations therein or in the audit reports, and as well as the APMT which concretize the validation or a report validating the action taken of the management on the audit observations on that year or on 2023 Annual Audit Reports, Ma'am...

REP. M. A. B. SUANSING. Noted on that...

MS. GEMORA. ...oh, Your Honor.

REP. M. A. B. SUANSING. ...noted on that, Mr. Chair. In the absence of the COA Report duly published by COA, Mr. Chair, we will stick—for now—to the values indicated in the GAA for the years 2023 and 2024.

Mr. Chair, please allow me to make general comments on the patterns that I've seen from the year 2021 to 2025. Dalawa po siguro iyong gusto ko pong puntuhin dito po sa ating obserbasyon. Iyong una po, kumpara po sa amount na nagastos ng Office of the Vice President ng taong 2021 at 2022, makikita po natin na

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mas malaki po o di hamak na mas malaki iyong expenditure po ng Office of the Vice President para po sa mga kategorya na atin pong inilatag dito po sa...sa ating slide.

Pangalawa, Mr. Chair, napakalaki po noong...within...across the different years po, napakalaki noong pagtaas noong expenditure ng Office of the Vice President para po sa iba't ibang mga kategorya.

So, Mr. Chair, I would like to highlight two observations: first, the amount seem to be...the expenditure seem to be a lot higher from the years 2023—and as proposed in 2025—as compared to the previous expenditures before 2022; and, number two, there is the jump across the different years seems to be very, very substantial for the different categories highlighted, Mr. Chair.

Mr. Chair, iisa-isahin ko po iyong iba't-ibang mga kategorya para po atin pong mahimay at mailatag iyong atin pong mga obserbasyon.

Iyong una po, Mr. Chair, ay patungkol po sa travel expenses o travelling expenses ng Office of the Vice President. Makikita po natin dito na kung atin pong titingnan iyong notes for...notes to financial statements ng COA ay dalawa po iyong puwedeng maging kategorya para sa travelling expenses—local and foreign travel. Hindi pa po natin alam sa kasalukuyan iyong breakdown nitong mga amounts na ito kasi hinihintay po natin iyong COA Audit Report. Pero dito pa lang, Mr. Chair, makikita po natin na parang ang taas. Para po sa taong 2023, mula po sa two...20 million ng taong 2022, at 10 million lamang noong taong 2021, bigla pong tumaas iyong travelling expenses ng OVP sa halos 60 million pesos bawat taon. At consistent po iyon, taong 2024, 62.5 million; at doon po sa proposal para sa 2025, nasa 62.5 million din.

Dito po, Mr. Chair, nais ko po sanang tanungin iyong COA, mayroon po ba kayong ginagawang assessment or audit patungkol po sa nature of the travels? Tinitingnan ninyo po ba kung ito ba ay necessity? Necessary po ba ito to the fulfillment of the duties or the mandate of the Office of the Vice President? Tinitingnan po ba natin kung resonable *(reasonable)* iyong gastusin sa bawat travel? Ano pong klaseng audit iyong ginagawa po ng COA patungkol po sa travelling expenses, Mr. Chair?

MR. TOMAWIS. Mr. Chair, may I...

THE CHAIRPERSON. Yes, Mr. Tomawis...

MR. TOMAWIS. ...respond?

THE CHAIRPERSON. ...you are recognized.

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MR. TOMAWIS. Congressman Suansing, Mr. Chair, for the travelling expenses po, we based our audit on the Executive Order 77 wherein may mga prescribed rates po doon for the travel abroad and local travel, and may mga parameters and guidelines and procedures. And, also, we have also the documentary requirements ng COA wherein may mga requirements required to be submitted to substantiate the…or to validate iyong mga travel expenses na na-incur ng agency.

REP. M. A. B. SUANSING. Mr. Chair, nasa…Thank you…thank you, Sir. That's from the audit standpoint po, eh.

On…maganda din po kasi sana kung mayroon po sana, Mr. Chair, na representante mula po sa Office of the Vice President. Maganda po sana nating maitanong na bakit kinailangan nila iyong ganito kalaki na gastusin na travelling expense po? Kasi po noong mga…sa mga previous years po, hindi ba po, halos kung titingnan natin, almost 20 percent lamang or one-fifth lamang noong kasalukuyang gastusin ng OVP iyong travelling expenses. So, alam ko po na hindi masasagot ng COA iyong dahilan kung bakit dumami iyong travels…

MR. TOMAWIS. Puwede pong…

REP. M.A.B. SUANSING. …pero sana po mabigyan po tayo ng linaw ng Office of the Vice President kung ito bang mga travels na ito ay necessary po? At ano po iyong…papaano po ito nag-a-align doon po sa mga objectives at mandate ng Office of the Vice President?

MR. TOMAWIS. Mr. Chair, may I answer po.

THE CHAIRPERSON. Yes, Mr. Tomawis, you are recognized.

MR. TOMAWIS. Based on our report po doon sa travel expenses…

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MR. TOMAWIS. (Continuing)...travel expenses, since ang OVP, for the 2023, nag-full blast sila kasi nagkaroon po ng expansion which is iyong satellite offices and also iyong disaster operations nila, wherein the other previous administration po kasi, wala pong satellite offices. That's why lahat po ng travel expenses in relation to the operations in the satellite offices kaya po dumami iyong...lumaki iyong amount of expenses pertaining to the travel expenses.

REP. M. A. B. SUANSING. Mr. Chair, if I may ask COA, as a follow-up, iyong travel expenses po ba, iyan ay travel expenses ng mga staff ng satellite offices?

MR. TOMAWIS. Based on this...kasama po.

REP. M. A. B. SUANSING. Mr. Chair, maaari po bang ibahagi sa atin ng COA ilan pong porsiyento dito, dito po sa 59.5 million para po sa taong 2023, ilan po diyan iyong...magkano po diyan iyong local travel *versus* foreign travel? Maibabahagi ninyo po ba iyon?

MR. TOMAWIS. As to the breakdown po, we cannot commit to...to answer the breakdown today po kasi wala po sa aming report as of this day po iyong breakdown, kung ilan po iyong para doon sa staff at sa satellite offices.

REP. M. A. B. SUANSING. Mr. Chair, siguro, as an observation lang po, even naman po if we would look at previous administrations, ang nature naman po talaga ng jurisdiction ng Vice President ay national in nature. So, bumabiyahe naman po talaga iyong ating mga Vice Presidents all over the country. So, siguro po, iyon nga, baka ang accounting factor lang po noon kung bakit tumaas ay dahil po doon sa mga satellite offices. At iyon po siguro iyong tanong natin, Mr. Chair, dati pa, simula pa noong nagkaroon tayo ng pagtalakay patungkol dito, ano po ba iyong necessity noong mga satellite offices na iyon kung napakalaki po noong epekto noon doon po sa mga expenses, Mr. Chair?

Mr. Chair, I would like to move to the second category po, which are the supplies and materials expenses. Siguro, Mr. Chair, isa po sa makikita natin dito ay—sorry po. ComSec, previous slide lang po.

Iyan po. Iyong second category po ay iyong supplies and material expenses, Mr. Chair.

THE CHAIRPERSON. Iyong slide, please.

REP. M. A. B. SUANSING. Iyan po. Ito po, siguro, Mr. Chair, iyong medyo kailangan nating pagtuunan ng pansin. Napakalaki po noong itinaas noong expenses pagdating po sa supplies and materials. Noong taong 2021 po, iyon ay nasa 92 million; para sa taong 2022, 53.5 million; pero po sa taong 2023, times five

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po iyong itinaas noong supplies and materials expenses. At patuloy po iyong pagtaas. Tumaas po siya ng 70 million sa pagitan ng 2023 at 2024, at tumaas pa lalo by 60 million mula po 2024 at 2025.

Siguro, Mr. Chair, ang tanong ko po patungkol dito, pag tiningnan po natin iyong mga kategorya or subcategories under the supplies and materials expenses, titingnan po natin—office supplies, welfare goods, drugs and medicines expenses, medical, dental and laboratory supplies, fuel, oil and lubricants, semi-expandable machinery and equipment, semi-expandable furniture, fixtures, books, at other supplies and materials expenses—siguro po, tatanungin po natin bakit po kakailanganin iyong daan-daang milyon para po sa mga supplies at materyales na ito?

So, Mr. Chair, dahil po wala po tayong representante mula sa OVP na sasagot ng tanong na ito, kung maaari ko pong matanong muli sa COA, may ginawa po ba kayong audit o assessment patungkol po sa nature nitong mga purchases na ito?

MR. TOMAWIS. Mr. Chair, may I be recognized po?

THE CHAIRPERSON. Yes, Mr. Tomawis.

MR. TOMAWIS. Mr. Chair, the main reason po noong increase noong supplies and material expenses from 2022 to 2023 is…reason po is nagkaroon po ng extensive na mga disaster operations during the 2023; at the same time po, nagkaroon po ng satellite offices. So, particularly po, kung makikita ninyo po doon sa welfare goods and expenses, iyan po iyong lumaki po talaga, at doon sa other supplies and material expenses, wherein mayroon po doon program po si…si Office of the Vice President about the PagbaBAGo Campaign: A Million Learners and Trees Program po, so wherein iyong mga distributions nila po doon or mga supplies na nagagamit, dito po naire-record. So, kung…kung hindi…hindi natin po kasi mako-compare sa 2022 kasi po magkakaiba po iyong programs in the 2023, wherein dumami na po iyong programs ni OVP. And then, at the same time, if I…if I may read the…the notes to FS po doon sa welfare goods, "The welfare goods expenses consist of relief goods and food boxes distributed to the disadvantaged individuals and families and to those affected by various calamities. It also includes the purchase of rice intended for the relief operations." And nandito rin po na ang reason po ng increase is due to the extensive relief operation in CY 2023 conducted by the Disaster Operations Center and various satellite offices. That's for the welfare goods po kaya po siya tumaas.

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Then, for the other supplies and material expenses, nag-increase po kasi may mga purchase—schools, bags and other supplies po—na binibigay po ng Office of the Vice President relative doon sa PagbaBAGo Campaign po na program po nila.

REP. M. A. B. SUANSING. Mr. Chair, siguro po, ang tanong ko po sa COA, para kasing program/project-based iyong mga expenses po na nabanggit ninyo, chargeable po ba siya dapat sa MOOE?

MR. TOMAWIS. Yes po. Yes, Mr. Chair, depende po kung ano iyong nature.

REP. M. A. B. SUANSING. Siguro...

MS. GEMORA. And...

REP. M. A. B. SUANSING. Go ahead...Go ahead, Ma'am.

MS. GEMORA. Mr. Chair, may I be recognized.

THE CHAIRPERSON. Yes, Ma'am Gemora. You are recognized.

MS. GEMORA. Thank you, Chair.

Of course, Ma'am, with the programs, comes the different items that will be used for the implementation of the program. So, if there will be, like earlier said by Mr. Fahad, there were—ano ba iyon?—mga welfare goods that were procured and other bags for the—ano ba iyong program?—PagbaBAGo Ka, 'Day Program. So, these are recorded in the MOOE for the procured items that were related to the implementation of the different programs implemented during the year.

REP. M. A. B. SUANSING. Mr. Chair, dahil po napakalaki po noong halaga na ating pinag-uusapan dito sa supplies and materials expenses, mayroon na po bang liquidation na naganap para sa mga ito? Na-audit na po ba iyong liquidation, lalo na po doon sa mga disaster operations, doon po sa mga bags, school supplies? Natapos na po ba iyong liquidation and audit?

MR. TOMAWIS. Mr. Chair, for the...

THE CHAIRPERSON. Yes, Mr. Tomawis.

MR. TOMAWIS. ...audit of 2023, natapos na po namin iyong audit. So, based on an audit, mayroon na po kaming audit report and mga findings which is...which are included na po sa Annual Audit Report ng 2023, so...which is pertaining po doon sa deficiencies noted on the distribution of welfare goods as also...also for the deficiencies noted on the PagbaBAGo Campaign Program. So, we have issued Audit Observation Memorandum and we also included in our report all our findings on that programs po.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

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Mr. Chair, I think COA highlighted something very important. Ito pong welfare goods, which is a huge percentage of the supplies expenses po, ay subject po ng AOM. Tama po ba? Opo. Kung puwede po sana nating makita iyon, Mr. Chair, kapag puwede na pong maipakita sa atin ng COA dahil po...siguro, dahil po gusto nating siguraduhin na nagastos po nang tama itong mga...iyong halaga dito po sa welfare goods at doon po sa PagbaBAGo Program dahil po subjected siya sa AOM. Mahalaga po para sa Committee din na ito na makita po kung ano iyong findings ng COA, lalo na po doon sa deficiency, siguro po, sa mga...mga acknowledgment receipts po ba iyan, sa liquidation reports, mga resibo, ganoon po ba, sa procurement process po ba iyong findings ng COA, Mr. Chair?

MS. GEMORA. Your Honor.

THE CHAIRPERSON. Yes, Ms. Gemora.

MS. GEMORA. Yeah.

For the different audit observations...

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MS. GEMORA. (Continuing)...different audit observations included in the annual audit report, we have already...more or less, it's on a...like, for example, the distribution list of the welfare goods and other items that were distributed to the different recipients of this program. So, if the audit report, we have already submitted to the oversight body of the Congress, which is to the Chair...Sec...no, Speaker of the House, which we are, of course, mandated to in —what's this?—September, 'no, or...

MR. TOMAWIS. September, Ma'am.

MS. GEMORA. ...July, I think, or August, we already submitted. But, of course, if the Committee would request a copy, we would readily provide you with...even if before the December 1 publication, subject to the, of course, approval of the Commission on Audit Chairperson, Your Honor.

REP. M. A. B. SUANSING. Mr. Chair, kung puwede po nating tanungin sa COA, kung puwede niyo pong i-disclose sa Committee natin ngayon, how much is the amount in question under the AOM? Ilang million po? How many hundreds of thousands of pesos?

MR. TOMAWIS. Mr. Chair, may I be recognized.

THE CHAIRPERSON. Yes, Mr. Tomawis, you are recognized.

MR. TOMAWIS. Actually, as to the amount po is hindi namin masasabi na itong amount na ito is may irregularity or may somewhat, but then our audit kasi po is...our audit report is...or result is pertaining doon sa mga...these deficiencies observed doon sa existing guidelines. So, more on the internal control po ng distribution of welfare goods iyong mga nakita naming may deficiencies wherein they need to improve it para po ma-secure na iyong distribution po is talagang nakakarating po sa mga tao.

REP. M. A. B. SUANSING. Pero, 'di ba po, nakita ko na po kasi iyong previous AOMs niyo, eh, mayroon...makikita...mako-compute mo, more or less, eh. Ilang...How much is the amount in question under the AOM? Kasi po iyong previous chart po, 'di ba, na ginawa ko po at inilatag ko po sa Komite, kaya ko po nagawa iyong mga numbers na iyon kasi kapag tinangnan niyo po iyong AOM, sa dulo ng AOM, may total amount po iyon, eh.

MR. TOMAWIS. Mr. Chair, we usually audit the accounts kung...For example po iyong welfare goods. So, iyong naka-record po sa balanse niya is 176 million, but then it doesn't mean po na lahat po iyon is iyon iyong may irregularities or may

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something. So, kung titingnan po natin, we only base our result on the internal control as a whole for the distribution of welfare goods.

REP. M. A. B. SUANSING. Sige po, Mr. Chair. Once the AOM is available, Mr. Chair, I would like to seek your permission for me to peruse it kasi po medyo malaki iyong amount na binabanggit po ng COA ngayon, 176 million iyong welfare goods, and doon po nakita iyong deficiencies doon po sa audit findings ng COA pagdating po sa mga supplies. So, Mr. Chair, I think this is a flag that the Committee should take a look at. And 'pag nakita ko po iyong AOM, Mr. Chair, I will peruse it and…for our Committee po.

Mr. Chair, I would like to move to the next category which is the Professional Services, Mr. Chair. If I may request the ComSec again to please show previous slide po. Mr. Chair, 'pag babalikan po natin ulit doon sa Professional Services, same pattern po, Mr. Chair, napakalaki ng pagtaas mula po sa 75 million ng 2021 at 56.1 million ng 2022, bigla pong tumaas, lumaktaw po more than three times to 194 million ng taong 2023; 98 million ng 2024; at 105 million sa proposed 2025. Siguro, Mr. Chair, ang interesante po nating tingnan dito ay doon po sa taong 2023, mas mataas pa iyong expenses sa Professional Services kaysa po sa Personnel Services. So, ibig sabihin, mas maraming external…externally contracted na mga services kaysa po iyong mga Personnel Services na internal na plantilla positions within the OVP. So, siguro po, one thing I would like to flag to COA as well is iyong Professional Services po ng 2023 ay mas mataas pa sa internal or Personnel Services ng OVP.

Pangalawa po, Mr. Chair, if titingnan po natin iyong subcategories under Professional Services, tatlo pong klase iyon—may Auditing Services, Consultancy Services, and Other Professional Services. Siguro it would be interesting, Mr. Chair, to take a look at this na, bakit po umaabot ng 194 million, almost 200 million iyong expenses ng OVP para po sa externally contracted or Professional Services, Mr. Chair? So, Mr. Chair, again, ideally, gusto po sana nating tanungin iyong OVP para maipaliwanag po nila ito, pero kung masasagot po tayo ng COA ngayong araw base po sa kanilang audit findings patungkol po dito.

THE CHAIRPERSON. Mr. Tomawis.

MR. TOMAWIS. Mr. Chair, based on the audit report po, ang actual expenditure po for the Professional Services is only 62.6 million aside from that budget po kasi based on the GAA po, 'di ba, po iyong 190…194 million. So, based

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on the actual po is only 62.6 million po iyong na-incur during the 2023 as compared po doon sa 2022 na 56 million po.

REP. M. A. B. SUANSING. So, Mr. Chair, that's...I'll do a quick math. One second. So, ibig sabihin po, 32 percent lang iyong utilization nila for professional services? Ano po iyon, quick math lang po, 32 divided by 194.

MR. TOMAWIS. Yes po.

REP. M. A. B. SUANSING. Opo. Sige, Mr. Chair, that I understand, pero in the succeeding year, 2024 po, mayroon na po ba kayong utilization report patungkol...running, running utilization po?

MR. TOMAWIS. Unfortunately po, Mr. Chair, for the 2024 po, wala pa po kaming running balance as to the utilization po.

REP. M. A. B. SUANSING. Mr. Chair, puwede ko po bang tanungin sa COA kung patungkol po sa Professional Services, gumagawa po ba kayo ng audit or ng assessment patungkol po doon sa nature ng mga kontrata? Ibig sabihin po, iyong nature of the projects na nagkokontrata sila for and then whether the enlistment of these consultants are necessary? Tsini-check niyo po ba iyon? May ganoon po bang assessment na ginagawa iyong COA?

MR. TOMAWIS. For the audit po, usually, we are bound by the—ano iyon?—iyong mga rules and procedures po. Tinitingnan po namin to the extent po na nako-comply ng agency po iyon. If ever po may mga deficiencies or not compliant doon sa rules and regulations, we also...we communicate the information to the management and take their management comments. Then, after that, kung nagkakaroon na po ng evaluation, then that's the time po na nagkakaroon na po ng...kung masa-satisfy kami or na...kung if ever lang na hindi na-comply. If ever hindi pa rin kami satisfied with their management comments, then mayroon na po tayong mga other actions po.

REP. M. A. B. SUANSING. Siguro iyon lang, Mr. Chair, kailangan lang po nating tingnan. And I think this is a sort of assessment that COA is not able to do at present, we need to check the necessity of these contracts. Is it actually necessary for the OVP to undertake these contracts with, for example, the different auditing firms, law firms, *et cetera*, and kung tama ba iyong kontrata? Kasi, iyon lang po, mataas po siya, eh. For 2024...While 62...62 million lang iyong 2023, ang hiningi po muli ng OVP para sa 2024 ay halos 100 million...

(MS. JOY S. JARA TOOK OVER)

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REP. M. A. B. SUANSING. (Continuing)...halos 100 million. So, iyon lang po. Sana po matingnan din po ng COA iyong necessity of engaging in these contracts, Mr. Chair.

MR. TOMAWIS. Mr. Chair, if I may recognize po? Okay.

Mr. Chair, for the...since nabanggit po ni Congresswoman Suansing iyong sa other professional services, actually, iyong other professional services po is pertaining doon sa mga cost of services na binabayad natin sa contract of service personnel po ng OVP. Since po tumaas...nagkaroon po ng satellite offices ang OVP, they need to hire more contractual services po. That's why po iyong mga suweldo po nila, pinapasuweldo po natin sa kanila is dito po kinukuha, dito sa fund na ito.

REP. M. A. B. SUANSING. Noted on that, Mr. Chair. Thank you.

For the next one, Mr. Chair, general services po. Gusto ko pong mag-move doon po sa susunod natin na category.

If I may, again, request the ComSec to please flash.

Dito po sa general services, Mr. Chair, similar po to the other line items, napakalaki po noong pagtaas. Mula po sa 10 million noong 2021; 14 million noong 2022; at 9.9 million noong 2023, bigla pong tumaas to 42.7 million para po sa taong 2024. At ganoon din po iyong pino-propose ng OVP para sa taong 2025.

Siguro, Mr. Chair, interesante pong tingnan itong kategorya na ito sapagkat kapag tiningnan po natin iyong sub-categories under general services, 'pag nakita po natin, environment and sanitary services, janitorial services, security services, and other general services, mapapatanong po tayo na bakit po na-multiply po by five times iyong gastos ng OVP between year 2023 and 2024. Kasi po itong mga nature ng mga services na ito, like janitorial services, sanitary services, security services should be fairly stable and consistent across years. So, bakit po tumaas ng halos 34...33 million iyon pong general services, Mr. Chair?

MR. TOMAWIS. Mr. Chair.

THE CHAIRPERSON. Yes, Mr. Tomawis.

MR. TOMAWIS. For the actual expenditure po ng general services for the 2023 is around 25 million po.

REP. M. A. B. SUANSING. So, 9.9 iyong budgeted, naging 25 million?

MR. TOMAWIS. Yes po, Mr. Chair.

REP. M. A. B. SUANSING. And for 2024, Mr. Chair, hindi pa tayo masasagot ng COA?

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MS. GEMORA. Your Honor, may I be recognized?

THE CHAIRPERSON. Yes, Ms. Gemora.

MS. GEMORA. The MOOE which is incurred by the OVP in relation to professional services, based on the financial statements submitted by the OVP but not yet audited—'di ba—but not yet audited by our team, totaling 11.6 million po. That's for the janitorial and security services, Your Honor, from January to July 2024. That's the latest financial statements that have been submitted to the Commission on Audit. So, particularly the financial—ano ba iyon—statements on performance.

REP. M. A. B. SUANSING. Noted, Mr. Chair. So, I guess po ang projected natin for end of year is roughly 23 to...

MS. GEMORA. It gets double. Yes, yes.

REP. M. A. B. SUANSING. ...25 million din. Times two.

Noted on that, Mr. Chair.

And last category po which I would like to focus on would be the rent and lease expenses, Mr. Chair. Rent and lease expenses, I believe majority of this goes into the rent and the leases of the satellite offices. So, Mr. Chair, dito po makikita natin na taong 2023 ay 33 million po; 60 million ang 2024; at ang hinihiling po ng OVP ay 80 million para sa taong 2025. So, Mr. Chair, for the rental expenses...

ComSec, please move to the next slide.

Dito po, Mr. Chair, makikita po natin iyong detalye kung magkano po iyong binabayaran ng OVP na renta para po sa kanilang mga satellite offices. Mr. Chair, this is based on...Actually, this is directly lifted from the briefer on OVP's rent or lease expenses in satellite offices as of September 19, 2024 supplied by the Commission on Audit.

Siguro, Mr. Chair, several things that we would like to highlight here. So, for the Central Office of the OVP in Cybergate, ang binabayaran po na monthly rent ay 2.1 million pesos para po sa head office. Para po sa...bukod po doon, iyong disaster operation center, mayroon pong 258,000 na rent every month. And then, for the other satellite offices, Mr. Chair, mayroon po tayong nakikita dito na malalaki din. Halimbawa po, iyong sa Cagayan Valley satellite office po ay 115,000 every month; para po sa Bicol, 155,000 every month; sa Cebu ay 149,000 every month; sa Caraga po, medyo malaki po, 220,000 every month; and sa BARMM po ay 120,000 every month.

So, siguro, Mr. Chair, ang tanong ko po dito sa COA, kasi po several of these seem very high for the location in terms of the rental rate being paid for a certain

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location. So, ang tanong ko po sa COA, mayroon po ba kayong ginagawang assessment, kung dumaan po sa tamang canvassing, bidding, procurement procedures ito pong mga satellite offices bago po mag-enter into the contracts?

MR. TOMAWIS. Mr. Chair, based on our audit po, itong mga pag-procure po noong rent expenses ng OVP, dumaan po siya sa Procurement Act 9184.

REP. M. A. B. SUANSING. So, Mr. Chair, does that mean na nagkaroon ng canvassing, nagkaroon ng bidding?

MR. TOMAWIS. Yes, Mr. Chair.

REP. M. A. B. SUANSING. Next question, Mr. Chair. May ginagawa po bang assessment iyong COA kung at par po sa market rental rates iyong binabayaran ng OVP? Halimbawa po for BARMM, doon po sa Cotabato City, para po sa 220 square meters na property, ganoon po ba iyong going rate sa Cotabato City?

MR. TOMAWIS. Mr. Chair, one of the supporting documents po doon sa payment of rental po is iyong cost benefit analysis po ng agency. So, doon namin ine-evaluate kung tama po ba iyong rate na nakuha nila based on that cost analysis po…cost benefit analysis.

REP. M. A. B. SUANSING. Mr. Chair…Sorry. What do you mean po by you're basing off whether the market rate is correct based on the cost benefit analysis? Kasi hindi po ba ang assessment dapat niyan ay titingnan ninyo iyong comparable properties in the area? Hindi po siya cost benefit analysis, Mr. Chair.

MR. TUMAWIS. They are also comparable po, nagko-compare po sa ibang lessors.

REP. M. A. B. SUANSING. Can you categorically confirm, Mr. Chair, that you've done that for every single one of the satellite offices?

MR. TOMAWIS. Unfortunately po, ang audit po kasi namin is on a sampling basis po. So, it is not 100 percent po for the whole satellite offices.

REP. M. A. B. SUANSING. So, which, Mr. Chair, of these satellite offices did you do that assessment on?

MR. TOMAWIS. Puwede…kasi hindi namin ma-recall po kung ano iyong satellite offices particular na nakita namin. We can submit na lang po kung ano iyong satellite offices na na-evaluate na po namin as to that reasonableness of amount.

REP. M. A. B. SUANSING. Kasi, Mr. Chair, just looking at it and doing like a quick research po, I didn't do like on the ground research. Several of these po kasi seems…seem to stand out na medyo mataas po iyong rental rate para po doon sa size noong property, doon po sa lokasyon para po dito sa ibang mga satellite offices.

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So, if COA may, please, provide that information, Mr. Chair, alin po talaga dito iyong nagawan nila ng assessment kung talagang at par sa market rate iyong binabayaran po na rental rate ng Office of the Vice President, Mr. Chair?

MR. TOMAWIS. So, Mr. Chair, we will submit na lang po iyong sinabi ni Congresswoman Suansing po.

Thank you.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

Mr. Chair, I think I've gone through all of the categories, all of the line items that I wanted to highlight in today's Committee hearing. Siguro, Mr. Chair, mas maganda talaga sana kung nandito po iyong representante mula po…

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REP. M. A. B. SUANSING. (Continuing) ... representante mula po sa Office of the Vice President para po masagot iyong ating mga katanungan patungkol po dito sa mga expenditures ng Office of the Vice President. Kasi, Mr. Chair, ang gusto talaga nating gawin dito sa Committee na ito, both for confidential funds and regular funds, ay gusto po nating seguraduhin na bawat piso po na ating ipinagkakatiwala sa office of the Vice President, ipinagkakatiwala po ng sambayanang Pilipino ay nagagastos po sa tamang paraan.

So, siguro, Mr. Chair, what we keep on wanting to highlight in this committee hearing is there really is urgency in terms of demanding transparency in terms of the budgeting, in terms of the utilization. Kasi, halimbawa, Mr. Chair, in the absence of the COA reports, hindi natin alam halimbawa na ang in-appropriate pala natin sa OVP is 194 million para sa professional services pero ang nagamit lang pala nila is 62 million. Iyong mga ganoon po ba, Mr. Chair, utilization and liquidation kailangan po talaga nating tutukan iyon at tingnan.

At, Mr. Chair, para po doon sa deficiencies na binanggit po ng COA, lalong lalo na po doon sa 176 million na nabanggit po ninyo patungkol po doon sa welfare goods, under supplies and materials expenses na kasalukuyan na pong subject ng AOM. Sana po ay matutukan ninyo po iyon, masigurado po natin. Medyo nakakabahala po iyong sinabi nyo na ang kulang po ay distribution list, ibig sabihin sino ang naging beneficiary, kung tama po ang pagkakaintindi ko doon po sa statement ninyo. Parang kailangan siguraduhin na napunta doon sa mga intended beneficiaries iyong mga relief goods, iyong mga bags, mga school supplies na binabanggit ninyo. Kaya sana po napakalaking halaga po ng ating pinag-uusapan, 176 million po, para sa isang kategorya, para sa isang taon. Kaya sana po ay maimbestigahan po at matutukan po ng Commission on Audit ito pong mga deficiencies na tinutukoy nila dito po sa ating expenses.

And iyon lang, Mr. Chair, uulitin ko lang po, looking at the figures po, overall dalawa po iyong makikita natin napaka...di hamak po na mas malaki iyong expenses, iyong mga gastusin ng Office of the Vice President mula po taong 2023 hanggang sa kasalukuyan kumpara po sa mga naunang taon. At, pangalawa, napakalaki po noong increase sa bawat taon noong mga gastusin po ng Office of the Vice President.

Kaya iyon lang po, Mr. Chair. Thank you very much for the opportunity to propound questions to our resource persons.

THE CHAIRPERSON. Okay.

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The next interpellator is Congresswoman Luistro.

REP. KHONGHUN. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Khonghun.

REP. KHONGHUN. Manifestation, Mr. Chair.

Mr. Chair, just a quick question lang, Mr. Chair, kay Attorney Poa. Gusto lang naming ma-clarify.

Attorney Poa, iyong ginamit ninyo pong term kanina is you were "pre-terminated". Tama po ba?

MR. POA. Yes, Mr. Chair.

REP. KHONGHUN. Gusto lang po naming malaman kung kayo po ba ay nag-resign or tinanggal sa OVP?

MR. POA. Nag ano po kami...nagkaroon kami ng pag-uusap prior to the previous hearing. It was really a mutual decision, Your Honor.

REP. KHONGHUN. What do you mean "mutual" po, tinanggal ka po ba o nag- resign ka?

MR. POA. Nag decide po kaming mutually kasi nag express po ako na hindi ko kayang i-fulfill iyong obligations ng contract as a spokesperson because, to be honest with you, since I am also a resource person here, I found it very difficult for me to go on media and be interviewed on the same matter kasi nawawala iyong objectivity because I am also part of the hearing as a resource person.

So, sinabi ko po iyon na "I do not think I am capable of really fulfilling the contract". Naintindihan naman po ako. So, we mutually decided na i-pre-terminate na po. Kasi ang contract ko po ay dapat hanggang December of this year, so preni-terminate na lang po namin iyong kontrata po.

REP. KHONGHUN. Kanino po kayo nagpaalam?

MR. POA. Sa ating Vice President po.

REP. KHONGHUN. Naging mutual po ba ang decision na ito or...

MR. POA. I would like to think so, Your Honor, to be honest, kasi ako naman very forthright ako, nagsabi ako ng difficulties that I am encountering. Medically, I am affected, but also beyond that, it is really hindi ko ma-fulfill iyong trabaho ko. Hindi ako makapagpa-interview, hindi dahil sa ayaw ko, pero I think it would be inappropriate, for example, if I am asked about the proceedings, I would rather answer the questions here rather than in the media. Especially if it is a

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comment by a member of the Committee, I think it would be inappropriate for me to comment through the media.

So, sa totoo lang po, nahirapan din po talaga ako and I expressed that difficulty to the principal. At I would like to think that she really understood naman po at ... that is why nag-agree kami to pre-terminate. So, I sent in my notice to pre-terminate the contract. And wala naman pong naging problema.

REP. KHONGHUN. Bakit po kayo nahihirapan? Nahihirapan po ba kayo dahil nahihirapan kayong ipagtanggol siya o mayroon po bang inuutos sa inyo na...

MR. POA. Hindi naman po. Mr. Chair, sorry. Hindi naman po. It is really... try ko pong i-explain. It is, for example, mayroon pong interview regarding the proceedings here. Ako po kasi, personal view ko, kunwari nagkomento ang isang Kagalang-galang na Kongresista tungkol sa proceedings dito or pag tanungin ako tungkol sa mga issues na pinag-uusapan natin dito, I do not think... out of due respect to the Members of this Committee, I do not think it would be proper for me to answer through the media. Tapos magkakaharap tayo dito, tapos either... ulitin ko lang ulit ang sinabi ko dito, I would rather answer the questions here as a resource person and I don't know if it is something that the Committee would appreciate where I am coming from, but...sa totoo lang po nahirapan akong magpa-interview. Kaya po kung mapapansin ninyo, hindi ako nagpa-interview since nagsimula po iyong... itong Committee na ito, hindi po ako lumabas sa kahit anong interview. That was my difficulty, personally.

REP. KHONGHUN. One more question, Mr. Chair. May mga inutos po ba sa inyo na nahihirapan kayong sundin kaya kayo nag-resign?

MR. POA: Wala naman po, Your Honor. I would like to be clear about that also. Wala naman pong inutos sa akin.

In fact, kahit po sa interviews naman I was given free rein to whether accept or not an interview. But lately, talaga pong personally ... I don't know, it is me. I think it would be inappropriate to answer things through the media rather than through a Committee. Then, maybe after the investigation, pag may magtanong, then we can all discuss what happened during the committee hearing.

Pero kung...alam ninyo naman po minsan ang media tatanungin tayo ano ang nangyari kung, kunwari hindi pa naman napag-uusapan sa Committee, ayaw ko sana namang pangunahan din po ang ating kagalang-galang na Committee.

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REP. KHONGHUN. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

THE ACTING COMMITTEE SECRETARY. Mr. Chair, for recognition.

THE CHAIRPERSON. Yes, ComSec.

THE ACTING COMMITTEE SECRETARY. For recognition lang, Ma'am.

THE CHAIRPERSON. Yes, ComSec.

THE ACTING COMMITEE SECRETARY. Yes. Thank you, Sir. We would like to recognize the presence of Honorable Roberto T. Uy, Jr., Vice Chairperson, from the 1st District of Zamboanga del Norte, he was earlier here; and Honorable Joseph "Jojo" L. Lara, from the 3rd District of Cagayan.

Thank you, Your Honors.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize Congresswoman Luistro.

REP. LUISTRO. Thank you, Mr. Chair.

I wish to express my frustration, along with the other Members of this Committee, for not being able to ask questions to our resource speakers from the Office of the OVP.

I just hope that they realize that the Committee is providing them an ample due process, an avenue for them to be able to refute, to belie the findings that we have established already, but they prefer not attending the hearing rather than giving their due explanation to all the issues which have been raised already.

Mr. Chair, after the last hearing of the Committee on Blue Ribbon, the Vice President held a press conference although, apparently, she did not address squarely the findings that we have established already, among others, is the huge cost of rentals for the safehouses, most especially the 16 million Confidential Fund that was used in 11 days for the safehouses.

Second, the confirmation of Attorney Osias with regards to the receipt of DEPED envelope-payola...

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REP. LUISTRO. (Continuing)...DEPED envelope-payola which has been testified to already in the previous hearings by Usec Mercado. And third is the denial of the AFP of having received any fund from the DEPED with respect to the Youth Leadership Summits and the Information and Education dCampaign which were conducted.

Nonetheless, Mr. Chair, there is one remark of the Vice President which indeed captured the attention of this Representation. And if I can ask the Secretariat to please play this video clip of the presscon? Since we are having some technical problems, let me share with you what she said during that presscon. She said that the DEPED confidential fund ay ginamit para magbigay ng impormasyon sa militar at sa local government units kung saan dapat gawin ang Youth Leadership Summits at ang Information Education Campaign.

First of all, Mr. Chair, I find it really strange. A civilian office like the Department of Education is the one which will be providing a confidential information to the military and the LGU with respect to national security. Hindi po ba baligtad ito, Mr. Chair, because it is indeed the mandate of the AFP to promote and secure the national security and interest of our country? Pero dito po sa naging pronouncement ng ating Bise Presidente, she said, ang confidential fund ng Department of Education ay ginamit para magbigay ng impormasyon sa militar at sa LGU kung saan dapat gawin ang Youth Leadership Summits at ang Information Education Campaign.

Mr. Chair, I wish to invite the attention of the Committee to the certifications that were issued by the AFP and were submitted by the DEPED to COA in support of the utilization of the DEPED confidential fund. And the same provides—YLS and IECs are conducted to prevent recruitment of teachers and students by terrorists and insurgents.

May we request Attorney Camora to please confirm kung ito nga po ba ay nakasaad sa certifications ng AFP?

THE CHAIRPERSON. Attorney Camora.

MS. CAMORA. Mr. Chair.

REP. LUISTRO. The certifications submitted by AFP to DEPED and which were subsequently submitted by DEPED to COA in support of the utilization of the DEPED confidential fund provides, among others, that YLS and IECs are intended to prevent recruitment of teachers and students by insurgents and rebels.

MS. CAMORA. That is what is contained in the certification, Mr. Chair.

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REP. LUISTRO. So, you confirm?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And having said so, Mr. Chair, we must understand that there are four existing programs of DEPED. And I wish to know also from COA, saang program po ba pumasok ito because we have to understand that each program has their corresponding expenditure of the confidential fund. Can we please flash each program along with the corresponding expenditure? The program includes Counterinsurgency, Abuse, Prevention, and Control, Anti-Illegal Activities, and Anti-Extremists or Terrorism Activities. Ang bawat programa pong ito ay may kanya-kanyang expenditure ng confidential fund.

And if we can show this table, Secretariat, please? The table shows that for Counterinsurgency Program, first quarter, DEPED spent 2 million and second quarter, DEPED spent 2 million 50 thousand; the second program is Abuse, Prevention, and Control Within Schools and the expenditures for first quarter, 2.130 million, second quarter is 2.370 million; Anti-Illegal Activities, first quarter, 1.5 million and second quarter, 1.7 million; and, for Anti-Extremism, first quarter, 1.8 million, and second quarter, 1.8 million.

I understand, Mr. Chair, that the YLS and the Education, Information Campaign has to fall in any of these programs. And considering the purpose that was indicated in the certification submitted to COA, I wish to believe na ito pong mga YLS na ito at IECs na ito ay part ng Counterinsurgency Program. Tama po ba ito, Attorney Camora?

MS. CAMORA. Tama po, Mr. Chair.

REP. LUISTRO. And having said that, Attorney Camora, ang total expenditures po for the Counterinsurgency Program is only 4 million 50 thousand pesos when the amount utilized is 15 million 540 thousand pesos. Mayroon pong nawawala, 10 million 490 thousand pesos. Saan po kaya napunta itong diperensiya ng nasabing amount?

MS. CAMORA. Mr. Chair, we consider the entirety since ang sabi naman po—focus on protecting the schools and the youth from physical harm, criminalities, terrorism, and drug abuse. So, hindi na lang po siya sa counterinsurgency.

REP. LUISTRO. Mr. Chair, is it the intention of Attorney Camora to consider that the entire amount utilized, that is 15 million 40 thousand, were spent in all these four programs of DEPED? Is that what you are trying to say, Attorney Camora?

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MS. CAMORA. The fund was used for the payment of rewards po in relation to these four programs, so...

REP. LUISTRO. Yes.

MS. CAMORA. Opo.

REP. LUISTRO. But there are four programs of the DEPED under which the utilization must fall. Kaya ang tanong ko po sa inyo kanina, when the certification provides that YLS and IECs are conducted to prevent recruitment of teachers and students by extremists and terrorists, ito po ba ay tamang nasa ilalim ng Counterinsurgency Program?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Because if so, since most of the expenses or, I should say, all of the 15 million 540 thousand was utilized for these YLS and IECs, ang napapaloob pong expenditures for Counterinsurgency Program is only 4 million 50 thousand. Hinahanap ko po, Attorney Camora, saan po napunta iyong 10 million 490 thousand?

MS. CAMORA. Iyon nga po. Actually, bineys (*base*) din po namin sa certification na they've made mention that it is to protect the schools and the students from physical harm, criminalities, terrorism which is one of the ano, and drug abuse po. So...

REP. LUISTRO. Then, why did they not indicate those purposes in the certifications?

MS. CAMORA. It's on the certification po. I'm reading from the certification po.

REP. LUISTRO. The certifications provide for prevention of recruitment by the terrorists and rebels...

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REP. LUISTRO. (Continuing)...terrorists and rebels. Am I correct, Attorney?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Ano pa po bang ibang purpose ang nakasaad sa certification? Mayroon pa po bang ibang purpose?

MS. CAMORA. Ang nakalagay po kasi, "Also, because of this exchange of information, we were able to perform our civil-military combat and intelligence operations in our AOR with focus on protecting the schools, their students, and the youth from physical harm, criminalities, terrorism, and drug abuse."

REP. LUISTRO. So, from your point of view, Attorney Camora, saang program po ba napapaloob itong YLS at IECs?

MS. CAMORA. Sa anti-insurgency.

REP. LUISTRO. If you are saying that this falls under the anti-insurgency program, ano naman pong activities kaya ang kinondak *(conduct)* ng DEPED in line with their abuse prevention, anti-illegal activities, and anti-extremism?

MS. CAMORA. Based din po dito sa ano, YLS iyon pong other...other ano, other purposes noong YLS.

REP. LUISTRO. In other words, Atty. Camora, you will agree with me that all the certifications pertain to YLS and IECs only?

MS. CAMORA. Pero mayroon pong other purpose po kasi silang nilagay sa certification.

REP. LUISTRO. Then, please enlighten us what activity falls under abuse prevention? What activity falls under anti-illegal activities?

MS. CAMORA. I think the YLS activities also included iyon nga po—lectures on drug abuse, criminalities.

REP. LUISTRO. Are you not...Are you not particular about defining, identifying saang programa po ba ito napapaloob? How...How are you able to account the expenditures if you are not even aware kung saang programa kasama iyong mga activities ng DEPED?

MS. CAMORA. I think that was not part of the ano po, iyong naging part noong review nito dahil noong nagpa-submit po kami ng...itong sa rewards...

REP. LUISTRO. I will raise the same question for the last time, Attorney. You were saying that the YLS and IEC fall under counterinsurgency program.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. And that is only 4 million 50 thousand.

MS. CAMORA. Yes, Mr. Chair.

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REP. LUISTRO. Way below the 15 million 40 thousand confidential fund that was utilized by DEPED. What, therefore, are the activities that fall under abuse prevention first?

MS. CAMORA. Mr. Chair, ito lang po iyong naging basis namin, Mr. Chair.

REP. LUISTRO. I understand that this 15 million is not even a subject matter of an AOM or an ND. Tama po ba ako?

MS. CAMORA. It was a subject matter of AOM po.

REP. LUISTRO. And then, what happened with the AOM?

MS. CAMORA. And then, this is their answer—iyong certification po.

REP. LUISTRO. And you simply adopted this.

MS. CAMORA. Adopt...Yes po.

REP. LUISTRO. And you agree with me that it is not clear with COA kung anong activity ang pumasok in every or each of the four programs.

MS. CAMORA. Hindi na po namin kinategorays *(categorize)*, Mr. Chair.

REP. LUISTRO. I wish to invite the attention of the Committee to the total amounts spent for all these programs—nasa ilalim po. First quarter is 7.5 and then, second quarter is 8.31. How can you give us a clear presentation on how this 15 million was utilized if you could not identify under which program every activity falls?

MS. CAMORA. *(Nodded)*

REP. LUISTRO. Ano po bang ibig sabihin noong pagtango ninyo, Attorney?

MS. CAMORA. Iyon po, hindi ko po...hindi po na-consider noong nag-evaluate po na i-categorize siya according to the programs of the DEPED.

REP. LUISTRO. But can you confirm to us iyon po bang certifications na sinasabi ninyo, which stated that YLS and IECs are intended to prevent recruitment, pare-parehas po ba iyan o may iba pa pong purpose na nabanggit?

MS. CAMORA. Iyon po, iyong isang...iyong isang certification, may ganoon pong nakalagay na other purpose.

REP. LUISTRO. How many certifications are we talking about, Attorney, for the entire 15 million 40 thousand pesos confidential fund of DEPED?

MS. CAMORA. Mr. Chair, dalawa lang po.

REP. LUISTRO. Dalawang certification lang po and I think it will be very easy with you, at least to, categorize. Atty. Tamora...Camora, saan po bang program napasama iyan, dadalawa naman pala? Can you please read the purpose of the first certification?

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MS. CAMORA. "These combined activities benefited 1,300 participants for the YLS and 8,754 students for the IEC. These collaborative efforts with the DEPED-Region I, NICA-Regional Office I and OPAPRU were conducted to insulate the students from exploitation by the communist terrorist groups and inform them of the ills of terrorism and communism."

REP. LUISTRO. Would you agree with me that that is counter-insurgency program?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. How much is the amount indicated?

MS. CAMORA. There is no amount indicated in this particular certification.

REP. LUISTRO. There is no amount indicated.

How about the other certification, can you please read to us?

MS. CAMORA. The...only the first ano, purpose po. Kasi, Mr. Chair, there is a second purpose in this one which...

REP. LUISTRO. What is the second purpose?

MS. CAMORA. Iyong first po na binasa ko na about criminalities, terrorism, and drug abuse. And then...

REP. LUISTRO. Is there any third and fourth purposes?

MS. CAMORA. No, Mr. Chair.

REP. LUISTRO. Wala na.

MS. CAMORA. Opo.

REP. LUISTRO. First and second?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. So, in other words, the certifications provide: first, is the counterinsurgency; and, second, it encompasses the three other remaining programs.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. However, I wish to manifest, Mr. Chair, that the COA should be able to identify under which program each expenditures fall. Because if I will be basing our interpretation to the certification which states as primary purpose that the YLS and IECs are conducted to prevent recruitment, then it means that the program which is being implemented by DEPED is the counter-insurgency program. And considering that the amount which was spent for this program is only 4 million 50 thousand, I wish to be enlightened magkano kaya iyong nagastos for the abuse prevention, magkano kaya ang nagastos para sa anti-illegal activities, at magkano

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kaya ang nagastos para sa anti-extremism. It is my humble submission, Mr. Chair, that the COA should be able to identify this to be able to give a clear presentation and account of the public funds which were utilized by the office of the Department of Education.

Mr. Chair, moving to my second observation, the DEPED confidential fund, according to the Vice President, was used to obtain information where military and LGU should hold the YLS and IEC. Again, I find this strange na baligtad na po because the office which has the mandate on addressing the national security and interest is the AFP, the Office of the National Defense. So, I wish to believe that matters concerning national security ay mas marami pong information ang DND compared to the Department of Education. But, strangely, ang nakasaad po dito, ang confidential fund ng DEPED ay ginagamit para makakuha ng impormasyon at masabihan ang military, kasama na ang LGU, saan kayo magko-conduct ng youth leadership summits at information education campaign. Nonetheless, Mr. Chair, I wish to believe na dapat mayroon pong correlation ang source ng information at ang site or recipient ng YLS and IEC.

Can we request the Secretariat to please flash the graph, the pie...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. LUISTRO. (Continuing)...the graph, the pie?

Mr. Chair, the payment of rewards indicated in our graph shows or should I say is not consistent with the location of the recipient where the YLS and the IEC were conducted. Ang sabi po dito sa ating graph, nagkaroon ng payment of rewards sa Zamboanga Del Norte, sa Zamboanga Del Sur, sa Zamboanga Sibugay, sa Basilan, even in Sulu, Ilocos Norte, Ilocos Sur, La Union, Bulacan, Nueva Ecija, Zambales, Camarines Norte, Camarines Sur, Albay, Sorsogon, Masbate. However, Mr. Chair, the total of the payment of rewards is only 4 million 282 thousand. Again, if we compare this to the total amount of confidential fund, which is 15 million 540 thousand pesos, ang question, saan naman po kaya nadala itong nawawalang 11 million 258 thousand pesos? Can we ask Atty. Tamoria...Camora, mayroon po ba kayong nakita sa inyong pag-o-audit? Saan ho ba nagkaroon ng YLS and IEC na hindi consistent sa location ng payment of reward?

MS. CAMORA. Mr. Chair, iyong location ng YLS and IEC is based on the certification po. These are the areas covered po nung activities. On the other hand, sa DEP, iyong payment of rewards, puwede po kasing iyong informant is nasa ibang lugar or address po kasi niya iyon...or address niya kung saan man siya...kung saan man...

REP. LUISTRO. That is impossibility.

MS. CAMORA. Opo.

REP. LUISTRO. But I am certain that you were not able to inquire about that information anymore.

MS. CAMORA. We don't...We don't inquire po beyond the...

REP. LUISTRO. I understand.

MS. CAMORA. ...acknowledgement receipts.

REP. LUISTRO. But are you really allowed to assume? Kasi what you are telling us is just an assumption. Puwede po na ang source of information ay nakatira sa Batangas at magbibigay po siya ng impormasyon tungkol po sa Zamboanga Del Norte. How do you think a person residing in Batangas will be familiar on what is going on in Zamboanga Del Norte?

MS. CAMORA. That is a personal ano lang po. But, actually po, table audit lang po talaga ang audit ng confidential funds, so it's talaga po kung ano po iyong sinabmit *(submit)* na documents.

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REP. LUISTRO. In other words, Atty. Camora, you do not pay attention anymore even when the source of information is residing in places far from the site of the Youth Leadership Summits and the Information and Education Campaign?

MS. CAMORA. Hindi na po namin pinagtugma, Your Honor.

REP. LUISTRO. But were you able to see and observe these inconsistencies during your auditing? Nakita niyo po ba iyon? I believe so, that is why you stated earlier na puwede naman pong nakatira sa ibang lugar and he will be giving information about another place.

MS. CAMORA. Yes, Mr. Chair, but...

REP. LUISTRO. You observed it...

MS. CAMORA. Opo.

REP. LUISTRO. ...during the auditing but you did not conduct any further inquiry as to the correlation between the source of the information and the recipient or the location of the recipient of the YLS and the IECs, do you agree?

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. Hindi niyo na po pinansin.

Mr. Chair, to conclude, dito po sa dalawang slides na ating ipinakita, if we will be anchoring our analysis on the programs of DEPED, it will appear that only 4 million 250 thousand was spent for the counterinsurgency program, Mr. Chair, and, therefore, there remains an unaccounted amount equivalent to 10 million 490 thousand out of the total confidential fund which is 15 million 540 thousand.

Meanwhile, Mr. Chair, if we will be anchoring our analysis on the location of the source of information and the location of the recipients of the Youth Leadership Summits and the Information and Education Campaign, what is consistent with respect to their location is equivalent only to the amount of 4 million 282 thousand pesos. So, their remains also an unexplained amount of 10 million 490 thousand pesos. Nasaan naman po kaya itong amount na ito?

Mr. Chair, in conclusion, I wish to believe that the confidential fund of the Department of Education was not properly recorded at its best, or misspent, or misappropriated at its worst. It is the humble submission of this representation that there is a *prima facie* case of malversation and, in addition, an apparent case of breach of public trust.

For us to be able to know whether there is malversation, four elements must be present: number one, there must be a public official; two, he is the custodian of fund; three, the fund must be for public purpose; and fourth, the public official took,

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appropriated, misappropriated, or consented, or through abandonment or negligence permitted another person to take them.

For the information of the public, ang malversation po can be done intentionally, we call it *dolo*, which is with criminal intent; and it can be done as well by negligence, we call it *culpa* or by negligence. In other words, with or without criminal intent if the four elements are present, which I believe they are present, there's a *prima facie* case of malversation.

With respect to the breach of public trust, this is the violation of public's confidence in a public officer's ability to serve with integrity, impartiality, and in accordance with law. Public trust is mandated by no less than the fundamental law of the land, that is the Philippine Constitution. We wish to express our utmost trust and confidence to the 19th Congress of the Philippines in addressing the apparent infractions of our rules on malversation and breach of public trust.

And to the Filipino people, Mr. Chair, rest assured that this Committee will legislate the necessary laws to safeguard not only confidential fund but all public funds. Likewise, we commit to recommend the filing of the necessary actions against people found liable for committing these infractions.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Congresswoman Luistro.

The Chair will now move to another...or to the next interpellator, Congressman Paduano.

REP. PADUANO. Thank you, Chairman. May I proceed.

Chairman, since the Bureau of Treasury is not present in today's hearing, may I move to invite the representative from the Bureau of the Treasury...

(MS. JOY S. JARA TOOK OVER)

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REP. PADUANO. (Continuing)...Bureau of Treasury, especially those representatives present during the previous hearing for consistencies, Mr. Chair. So move.

THE CHAIRPERSON. ComSec, please take note of the...

THE ACTING COMMITTEE SECRETARY. Noted, Your Honor.

THE CHAIRPERSON. ...manifestation of Congressman Paduano.

REP. PADUANO. Mr. Chairman, why we should invite BTr? Because issues about policies with regards to JMC, with regards to the Memorandum Circular 97-002 from COA and MC-02 of 2019 by the BTr should be...we need to check the consistencies of such JMC and those memorandum circular, Mr. Chair, with regards to special cash advances.

Now, COA, please, please na lang po, please prepare in the next hearing iyong question of the requirements for special cash advancement for the SDOs doon po sa mga accountable officers, especially in question of their capacity to refund, just in case, amount being given that they must authorize by their principal. In this case, it is the Vice President. Kasi po kailangan natin iyon, 'no.

Sorry. Please use the microphone.

MS. GEMORA. Your Honor. Your Honor po, may I be recognize.

THE CHAIRPERSON. Yes, Ms. Gemora. You are recognized.

MS. GEMORA. Your Honor, is it for next hearing? May we be clarified?

REP. PADUANO. O, for the next hearing, kaya nga pinapaunahan ko na po kayo the questions that I might raise, 'no. Basta MC 97-002, BTr 02 of 2019 for the Bureau of Treasury and iyong JMC, 'no. How...you check na lang po how consistent because in the JMC may problema po doon. Kasi the requirements having laid in the provision with regards to the MC of COA 97-002 napakalinaw po, nandoon iyong SALN. But in the JMC, wala po.

Then, I will also discuss and ask about the salary grade of all those SDOs that were given an authority from the Vice President kasi ang appointing officer is the Vice President. Kasi po if you look at the salary grade, but, of course, salary grade is not only the basis, 'no.

Mr. Chairman, when, in fact...of course, salary grade is not only the basis, that is why, one of the requirements should be the SALN. Because in the case of Mr. Edward Fajarda, his salary grade is only 17 with a salary of 41,508; pero iyong encashment niya in one check is 37 million. So, we have to check on it.

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Kasi po based on the record, napakarami pong mga officers in the Office of the Vice President na mataas pong position bakit hindi sila binigyan? For example, in the case of Argonza, Belinda; ang position niya po ay Supervising Administrative Officer, 75,000 iyong ano niya, salary niya. In the case of Cesar Abalon, Chief Education Program Specialist, doon po sa DEPED, ang salary grade niya is 101,000. Why a 41,000 with the Salary Grade 8...ah, 17 was given the authority to encash checks worth 37 million? And it happened not only once, it happened several times. So, that will be the question that will be raised by this Representation in the next hearing, especially on matters of policy, 'no. Because sabi ko na nga, if the Office of the Vice President, through their Legal Department, is questioning about jurisdiction of this Committee to investigate such government funds and expenditures, we have the jurisdiction because we are now questioning the implementation and some policies of COA, of the BTr in this particular case.

Now, so, please, ComSec, paki-ano na lang po, paki-inform iyong ano, iyong BTr that will be...the questions that will be raised on the next hearing po.

THE ACTING COMMITTEE SECRETARY. Noted, Your Honor.

REP. PADUANO. Thank you.

Now, to the Land Bank, of course, a while ago, you mentioned about that...you received the invitation in a short notice, that was just yesterday at 4:00 p.m. But let me remind you, I will not ask the details. What I will ask you now about the policies and let just...Let me remind you, and for the record, we will not ask about specific bank details and you cannot invoke the Bank Secrecy Law when, in fact, that's why in this hearing, again, question of jurisdiction, this Committee has the jurisdiction because for the past several years, 'no, hindi lang ito OVP, hind lang ito DEPED, all others agencies in government and that includes the LGU, may problema na tayo because during the investigation of the other Committees, especially in my Committee on Public Accounts, question of the Bank Secrecy Law is being invoked by the Land Bank. And this time, you cannot invoke because we have now the checks. We have now the checks that were encashed in your branch.

Now, the first...ito ibibigay ko sa iyo, sa inyo. For Gina Acosta, this check was addressed to Gina Acosta in Shaw Boulevard Branch. Shaw Boulevard. Sino ba iyong...ang manager ninyo, Shaw Boulevard? Nandito ba siya? Wala? Wala?

ComSec, Mr. Chairman, I move to invite the branch manager of Shaw Boulevard, Land Bank in the next hearing.

THE CHAIRPERSON. ComSec, please note...

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THE ACTING COMMITTEE SECRETARY. Noted, Your Honor.

THE CHAIRPERSON. ...of the manifestation of Congressman Paduano.

THE ACTING COMMITTEE SECRETARY. Noted, Your Honor.

REP. PADUANO. And with regards to DEPED, to the DEPED, nandito rin po iyong mga tseke, iyong the total is 112.5 million for 37.5 every check...million every check. Now, this is from Land Bank dito po sa DECS, sa Ultra Compound, do you have a branch?

So, Mr. Chairman, once again, I move that we invite the branch manager of this Land Bank branch for the...

THE CHAIRPERSON. ComSec.

REP. PADUANO. ...DEPED.

THE CHAIRPERSON. ComSec, please take note of the manifestation of Congressman Paduano.

REP. PADUANO. Now, let me proceed na lang, Mr. Chair, matter of policy with regards to Land Bank. What is the maximum reserved fund of those mentioned branches?

THE CHAIRPERSON. AVP Camposano, would you like to respond?

MS. NENITA T. CAMPOSANO (Department Manager, DOTC Branch, Land Bank of the Philippines). Different branches have different cash involved levels, Sir.

REP. PADUANO. Ang tanong ko, magkano iyong sa branch na iyon? Iyong sa Ultra at saka doon sa Shaw Boulevard?

MS. CAMPOSANO. I'm not aware of the Shaw Boulevard Branch, but with the DEPED Branch, it's 10 million.

REP. PADUANO. Ten million. Okay. But the check that was encashed or...that's why I want the manager of that such branch kasi alam ko hindi ninyo naman masasagot. Pero I want her to be present in the next hearing because if the maximum reserved fund of that branch is only 10 million, the check that was...it's either encashed or deposited to other banks or other bank accounts was 37.5 million and it happened not only once, it happened several times. Tatlong tseke po dito ang hawak namin. Kumpleto po, pati iyong mga check number nandito.

So, I hope, Land Bank, you bring your branch manager in the next hearing and please prepare also for the reserved fund of the Shaw Boulevard Branch.

MS. CAMPOSANO. Yes, Sir, Your Honor.

REP. PADUANO. Now, let me proceed, Mr. Chairman. So, what will... specifically, what will be...if the...in the case of the Ultra Compound Branch,

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maximum is only 10 million, what will happen if the encashment is more than 10 million? And in this case, it's 37.5 million?

MS. CAMPOSANO. We, usually, ask our client to call us in advance two days or one day before the encashment for us to prepare the amount.

REP. PADUANO. Okay. So, one day or two days notice for the client.

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Okay. Now, next, 'di ba 'pag...iyong client...iyong check is under the client's name, he should be or she should be physically present...

(MS. THELMA M. RETUBA TOOK OVER)

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REP. PADUANO. (Continuing) ... physically present...

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. ... during encashment?

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Okay. So, iyon, we will also check that if Edward Fajarda, in the case of DEPED, and Gina Acosta is physically and personally present during the encashment. Okay?

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Now, next. Next question. With the amount of 125 million and 37.5 million, this is just a matter of policy, and I do believe that he cannot bring it wherever he wants if that was an encashment. So, what will happen?

MS. CAMPOSANO. Sir, I cannot understand what...

REP. PADUANO. Okay. Ito na lang po. Do you allow delivery of such amount or big cash amount from...if the client request for it...

MS. CAMPOSANO. No, Sir.

REP. PADUANO. ...to be delivered?

MS. CAMPOSANO. No, Sir.

REP. PADUANO. No. Is it... Are you sure of that, Attorney? Are you sure that it is not allowed?

MS. CAMPOSANO. It depends, Sir, if we have a memorandum of agreement with the...

REP. PADUANO. Paki ano na lang po, pakilapit-lapit na lang po.

MS. CAMPOSANO. It depends if we have an agreement with the client, if with memorandum of agreement for delivery of payroll of whatever.

REP. PADUANO. Correct, if you have a memorandum of agreement.

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Correct?

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Okay. So, ganito po, please submit to this Committee... because I do not believe that Gina Acosta and Mr. Fajarda encashed that amount, then brought with them to their office or to any place, 'di ba? So, please bring and submit to this Committee that MOA, particularly the branch that was mentioned.

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MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Is the branch allowed to have a MOA with the client with such amount? For example, in this case, 37.5 million in one encashment and the other is much bigger, three times, four times, that is 125 million, do you allow Land Bank branches to initiate a MOA with your client with such amount of fund?

MS. CAMPOSANO. It depends on the agreement, Sir, with the branch and with the client, Sir.

REP. PADUANO. Sandali po. Matter of policy po ang itinatanong ko. Do the central office of Land Bank allow... allows?

MS. CAMPOSANO. Yes.

REP. PADUANO. Kahit anong halaga?

MS. CAMPOSANO. If there is a MOA. If there is a memorandum of agreement, Sir.

REP. PADUANO. Hindi nga. Iyon nga ang tanong ko. Okay, sabihin na natin may memorandum of agreement, wala po bang ceiling na amount that you allow the branch? Okay, ganito na lang po, if you cannot answer that, please prepare for it in the next hearing.

Kasi iyon pong mga tanong kasi, Mr. Chairman, I just want to make it clear, why I am asking this question because the banking laws should also be amended, especially the Bank Secrecy Law. Because supposedly government funds should not be...should be exempted in the Bank Secrecy Law. There should be a special provision for it. And in fact, supposedly, especially government banks, with regards to MOA, dapat po may ceiling kasi alam naman po natin, okay lang iyan pag government fund, what if kung personal fund. Kung may money laundering when, in fact, until now, it is still 500,000, 'di ba, Ma'am?

MS. CAMPOSANO. Yes.

REP. PADUANO. 500,000 pa rin, 'di ba?

MS. CAMPOSANO. Above 500,000, Sir.

REP. PADUANO. Above 500,000? 500 lang, 500,000 iyong...

MS. CAMPOSANO. No. It is above 500,000.

REP. PADUANO. If above 500,000. That is the policy.

MS. CAMPOSANO. Sir, in the AMLC, Sir?

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REP. PADUANO. Sorry. Pakilapit lang po iyong...

MS. CAMPOSANO. Any transactions above 500,000 shall be reported to the AMLC.

REP. PADUANO. Iyon na nga, iyon na nga ang sinasabi ko. But in the case... in this case, kung 500,000 iyong maximum pero iyong withdrawal, especially ito government funds, 37.5 million, 125 million.

Kaya nga, Mr. Chairman, again, I would like to reiterate na kailangan talaga ma-revisit iyong ano, iyong banking laws and, particularly, iyong Bank Secrecy Law kasi this will be...this...In my eleven years in Congress with regards to investigation, especially which Land Bank or government banking institution is involved, lagi po nakatali ang mga kamay ng Kongreso because of this Bank Secrecy Law. But, again, you cannot anymore invoke that Bank Secrecy Law because COA has already submitted all the checks. But I will not ask about the details in the next hearing with regards to how much is the actual bank... iyong laman ng bank account ng DEPED o ng office of the Vice President.

But I will ask you, how did these transactions happen? Kasi po unang-una, ang tanong po ano ba ito, si Edward Fajarda cash... encashment ba ang ginawa niya o iyong tseke trinansfer *(transfer)* niya sa ibang bangko?

MS. CAMPOSANO. Encashment, Sir.

REP. PADUANO. Sigurado ka encashment?

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Paano mo nalaman?

MS. CAMPOSANO. I was the former Branch Manager of the DEPED branch, Sir.

REP. PADUANO. Okay. So, ito, alam mo?

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Alam mo. So, puwede na kitang tanungin ngayon, puwede na o next hearing na?

MS. CAMPOSANO. Next hearing, Sir.

REP. PADUANO. Okay. Mabait ako ngayon. Okay. Next hearing, ha? Paghandaan mo. Ikaw pala... hindi mo... dapat sana...kaya pala alam mo iyong

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specific na location noong branch na iyon kasi ikaw iyong... ikaw pala iyong ano dito, branch manager noon.

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Kaya alam mo.

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. So, you are familiar about all these checks.

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. And how these checks were encashed.

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. And how was it delivered, the cash.

MS. CAMPOSANO. It was not delivered.

REP. PADUANO. Alam mo, alam mo ang delivery from the bank. Ikaw iyong branch manager, hindi mo alam how it was delivered.

MS. CAMPOSANO. The cash from our cash center, Sir, or the cash for the ano...

REP. PADUANO. No, for example, we are talking about the first check, 37.5 million, ang bangko ninyo ba ang nagdeliver o...

THE CHAIRPERSON. Over the counter.

REP. PADUANO. O binitbit ni Fajarda?

THE CHAIRPERSON. I think the question, Ma'am, is how it was encashed. So, kung papaano po ba ito, over the counter?

MS. CAMPOSANO. Yes, Sir.

THE CHAIRPERSON. So, isang bagsak. Magkano pong amount iyan, Congressman?

REP. PADUANO. 37.5 million.

THE CHAIRPERSON. So, iyong 37 po ba in-over the counter iyong pag-i-encash?

MS. CAMPOSANO. Yes, Sir.

THE CHAIRPERSON. On the same day 37 was released...

MS. CAMPOSANO. Yes.

THE CHAIRPERSON. 37 million pesos was released.

MS. CAMPOSANO. Yes, Sir.

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THE CHAIRPERSON. Okay.

REP. PADUANO. Sigurado ka ba, Ma'am?

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Okay. So, all... three ba or four checks? No, three checks. Ganoon ang ginawa, iyong 37.5 million?

MS. CAMPOSANO. I will have to check first.

REP. PADUANO. Tama si Attorney.

MS. CAMPOSANO. But I cannot recall how many checks were encashed.

REP. PADUANO. You should recall kasi pupunta tayo di ba hanggang doon sa kung kailangan namin ipa-subpoena ang CCTV ninyo, ipapa-subpoena namin.

THE CHAIRPERSON. Ang tanong po ni Congressman Paduano, on three occasions, tatlong tseke po kasi iyan 37...tatlong 37.5 million. Ito po bang tatlong 37.5 million in-encash over the counter on the same date, I mean, three separate dates?

REP. PADUANO. Ma'am, ganito na lang po. With this huge amount, para safe ka, 'no, baka mamaya magkamali ka, then gagawa-gawa ka ng kwento para to defend your position, at the same time iyong opisina mo, better recall mo muna. Basta sabihin mo lang ang totoo, Ma'am...

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. ...kung ano talaga ang nangyari.

MS. CAMPOSANO. Yes, Sir.

REP. PADUANO. Kasi pag lumabas na nagsisinungaling ka, you will violate our Section 11, alam mo na iyon. Alam mo iyon, iyong consequence...

(MS. AIDA P. MOLINYAWE TOOK OVER)

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REP. PADUANO. (Continuing)...iyong consequence?

MS. GEMORA. Yes, Sir.

REP. PADUANO. Okay. So, siguro, better prepare na lang po for the next hearing, 'no, iyong mga possible questions. Be sure na kung trinansper *(transfer)*, it was transferred to other bank accounts. Kung pina-encash, pina-encash at hinatid. Hindi ba? Or pina-encash, binitbit ni Edward. Tama?

MS. GEMORA. Yes, Sir.

REP. PADUANO. Okay. So, for the meantime, Mr. Chairman, iyon lang muna. I think I have already called the attention of the BTr and...Mr. Chairman, last na lang pala po baka makalimutan ko lang.

So, okay na ako doon sa COA, next hearing na lang. At saka sa Land Bank, 'no, pakidala na lang po. Kung hindi mo ma-recall talaga, pakidala ng teller mo that time. Because this amount, 37.5 million, 'pag sinabi mo hindi mo alam, mabuti iyong sinabi mo alam mo kasi I will not believe in you na hindi mo alam because ganito kalaki dapat alam ng branch manager, hindi ba? Okay, anyway, ganito na lang po. Chairman, maiksi na lang po ito.

THE CHAIRPERSON. Yes. Please continue.

REP. PADUANO. I'll just take...I'd like to take this opportunity because Miss Catalan is present.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor, she is present. Ma. Rhuna Catalan from DEPED.

REP. PADUANO. Please.

THE CHAIRPERSON. Miss?

THE ACTING COMMITTEE SECRETARY. Please take your seat.

REP. PADUANO. Miss Catalan, for the information of everyone, and the Chair of this Honorable Committee, siya po iyong isa sa mga pumirma as the Head of the Accounting Department Unit.

THE CHAIRPERSON. ComSec, nakapag-oath na po ba si Ms. Catalan? Ma'am, Ms. Catalan, nakapag-oath na po ba kayo? Last hearing nakapag-oath na? Okay.

Yes, please continue, Congressman Paduano.

REP. PADUANO. Ma'am, are you still with the DEPED?

MS. MA. RHUNA L. CATALAN. (Chief Accountant, Department of Education). Yes, Your Honor.

REP. PADUANO. And please tell us about your present position in DEPED.

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MS. CATALAN. I've been the Chief Accountant since 20…2010.

REP. PADUANO. Until now?

MS. CATALAN. Until now.

REP. PADUANO. Until now. So, you're aware of this liquidation report that was submitted by COA to this Committee? And your name was affixed in this liquidation report, and you have a signature on this liquidation report.

MS. CATALAN. Yes, Sir.

REP. PADUANO. So, you're…you're aware.

MS. CATALAN. I am aware of the paste copy of the liquidation report, but the supporting documents were not presented to me.

REP. PADUANO. So, it was not presented to you; you just signed it?

MS. CATALAN. It was…

REP. PADUANO. You're the chief accountant?

MS. CATALAN. Yes, Sir, but it was just a formality that it should be covered by a liquidation report but...

REP. PADUANO. No. But, supposedly, you're the chief accountant; you have checked?

MS. CATALAN. But, first, joint circular, Sir, it was stated that the liquidation report plus the supporting documents shall be submitted by the disbursing officer direct to the ICFAO without any presentation to the chief accountant.

REP. PADUANO. Iyong ICFAO po, saan po department under iyon?

MS. CATALAN. COA. Iyong Intelligence and Audit Office ng intelligence and confidential funds.

REP. PADUANO. COA, do you confirm it?

THE ACTING COMMITTEE SECRETARY. Nag-CR break lang po si Attorney Camora, Sir.

REP. PADUANO. So, okay, I will wait for Attorney Camora.

So, Ma'am, are you telling this Committee na ministerial lang iyong sa iyo?

MS. CATALAN. Come again, Sir.

REP. PADUANO. Are you telling us na ministerial lang po kayo? Pumirma kayo dito without looking at the liquidation?

MS. CATALAN. Honestly, yes, Sir. I will say, yes.

REP. PADUANO. O, di may problema. Because, if ever a case will be filed against dito po sa liquidation na may problema, eh, pumirma ka dito, di part ka ng case.

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MS. CATALAN. But then, again, Sir, under the joint circular it was clearly stated that the documents, supporting documents to the liquidation report shall be directly submitted to the COA, and it means that it will not pass through the accounting.

REP. PADUANO. O, GMC, COA, paki-check nga, shall...

REP. ACOP. Mr. Chair, with the indulgence of Congressman Paduano.

THE CHAIRPERSON. Congressman Acop, you are recognized.

REP. ACOP. Madam Accountant, mukhang mali yata. If you read the joint circular, there's a provision there. Teka, hanapin ko kasi may kopya ako noon, eh. Nakalagay doon under paragraph 4.16, "In case of misuse of the intelligence or confidential fund and depending on the participation in the transaction, the budget officer, chief accountant, the treasurer, and the budget officer may likewise be held accountable with the special disbursing officer." So, you can be accountable, Madam. It's a provision of the joint circular.

MS. CATALAN. But then, again, Your Honors, per provision, per provision 6.1.8.4, it was stated that the...that the supporting document should be submitted by the...No, it's not. So, sorry, again. That...

REP. ACOP. Mali iyong binabasa mo, 6.1.8.4?

MS. CATALAN. My apology, Sir.

REP. ACOP. O, eh, kasi mali, eh.

MS. CATALAN. Okay.

REP. ACOP. I have a copy of your circular here. Binabasa ko nga, eh.

MS. CATALAN. Sir, it was under 6.2, the liquidation of the cash advance. It was stated under 6.2.2, "All cash advances for CF and IF shall be liquidated within 30 days after every quarter. And from the approved date, target date of completion, submission of the liquidation report duly signed by the head of agency or SDO, approved by the head of the agency together with the supporting documents, under Section 6.2.3 hereof and listed in the covering transmittal letter of the LR, this shall be submitted directly to the ICFAO in a sealed envelope with a visible label, 'Confidential: For ICPAO only', through any of the following: registered mail courier and authorized liaison officers."

So, under this provision, it was clearly stated or implied that the documents didn't pass through or were not reviewed by the Accounting Office.

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REP. ACOP. So, how do you reconcile that with paragraph 4.16? Sige nga, kasi ini-excuse mo iyong sarili mo because of a provision of the circular, but the same circular says that you can be accountable. How do you reconcile that?

MS. CATALAN. It could be stated here, Sir. But, honestly, and as I've ano, I didn't...it was not presented really to the accounting office, the supporting documents.

REP. ACOP. Hindi po iyon ang tinatanong ko, Madam. Ang tinatanong ko po, dinidipensa mo iyong sarili mo using a provision of the circular but the same circular states na ikaw ay accountable. How do you reconcile that? Kasi nasa akin iyong kopya ng circular ninyo...ng COA, eh, o. Kaya nga ako nag-i-intervene dahil ini-excuse mo iyong sarili mo sa liability, eh, pero the circular says that you can be liable. Hindi ba, *hija*? You read 4.16. Wala pa iyong COA, eh.

THE CHAIRPERSON. May we know from the representative of COA, to be clarified as on the matter?

MS. GEMORA. Your Honor, based on the documents from our confi team, confidential team, the liquidation report...

(MS. FLORISA M. PADA TOOK OVER)

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MS. GEMORA. (Continuing)...liquidation report that was signed by Ms. Catalan certified supporting documents complete and proper as the accounting unit. But then, if looking at the joint circular, it will...it stated there that the liquidation report, in Annex E, should be signed by the SDO, the accounting unit or the SDO. Meaning, SDO, special disbursing officer, who were...who was given the cash advance of the confidential fund, the special disbursing officer. So, if she was not the SDO...

THE CHAIRPERSON. Ano po iyong sine-certify ng...ng accountant?

MS. GEMORA. Sir, when she signed the liquidation report of the 37.5...

THE CHAIRPERSON. Certifying that?

MS. GEMORA. Certifying that the supporting documents complete and proper.

THE CHAIRPERSON. So, papaano po ninyo sasabihin na complete kung hindi naman niya nakita? Could you please clarify us? Papaano niya sasabihin na complete ang isang dokumento kung hindi naman niya nakita iyong loob?

MS. GEMORA. Ms. Catalan...

THE CHAIRPERSON. Parang hindi po yata matched.

MS. GEMORA. Your Honor, it is...it has to be Ms. Catalan who will answer such.

THE CHAIRPERSON. Ma'am, how can you certify something as complete and pro...and proper if you did not verify what is the content of the documents?

MS. CATALAN. Sir, it is a standard procedure that every liquidation document should be covered by a signed liquidation...

THE CHAIRPERSON. No. But that is common sense, eh.

MS. CATALAN. Yes, Sir.

THE CHAIRPERSON. Papaano po kayo magse-certify ng isang dokumento na complete and proper nang hindi ninyo nakita? Hindi po ba kayo nagtaka na nagse-certify kayo ng isang dokumento na complete and proper pero hindi ninyo naman nakikita iyong laman ng loob?

MS. CATALAN. Unfortunately, that was the case, Sir.

THE CHAIRPERSON. Did you bother to ask the Legal Department or the COA na bakit kailangang dumaan pa po sa inyo, bakit ninyo kailangan i-certify ang isang bagay nang hindi ninyo iniinspeksiyon o tinitingnan?

MS. CATALAN. It was one of the requirements, Sir, and I was made to sign that document, unfortunately.

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REP. PADUANO. Chairman. Actually, when I asked...

THE CHAIRPERSON. Congressman Paduano, please continue.

REP. PADUANO. Yes, thank you, Chairman.

When I asked Ms. Catalan, iyong tenure of office niya since 2010 pa, and I think they are doing it since then without checking the liquidation report. And ano lang po, pumirma lang. But, Ma'am, ito ngayon ha, nandito sa akin iyong JMC. Iyong binasa mo is 4.2. Ito, Ma'am, ha, iyong 6.3.3, ito, specific mandate of each and every official which is covered by this JMC. Ito, 6.3.3, the agency accountant, it's you, Ma'am. Tama? And look at 6.3.3 (d), paragraph (d). You are mandated to submit all disbursement vouchers for cash advance for intelligence and confidential activities/projects, with complete required supporting documents, within seven working days from release of the check.

O, hindi pupuwedeng sabihin na you are not accountable. Hindi mo rin puwedeng sabihin na diretsong ibigay sa COA. Because malinaw po sa mandate mo that you have to submit disbursement vouchers, confidential activities and projects with complete required supporting documents, o, within seven days.

MS. CATALAN. Can I respond, Your Honor?

The 6.1.8.4 pertains to the pre-audit of the cash advance.

REP. PADUANO. I'm telling about...No. That is not 6.8.4. I'm telling...I'm saying about the 6.3.3 (d).

MS. CATALAN. 6.3.

REP. PADUANO. In consistent with the provision that was read by Chairman Acop, your mandate.

Anyway, Mr. Chairman, it is on record that the Chief Accountant of the DEPED never bothered to check the liquidation report. She just signed it without looking at the details of such report. And it is on record, Mr. Chairman.

MS. CATALAN. May I respond, Your Honor.

This is the first time that we have encountered cash advances for confidential fund. But for the regular cash advances for regular funds, we always ensure that the documents attached to the liquidation of the cash advances were complete. But, again, for this...this is the first time that we have encountered these cash advances for confidential fund. And that procedure seems quite different, actually and honestly.

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REP. PADUANO. But, of course, you have the Joint Memorandum Circular and there is a provision with regard to the mandate of the Chief Accountant, the SDO, and all other officials of agency. Malinaw po iyon, Ma'am.

So, I think, once again, Mr. Chairman, we'd just like to put on record na...

MS. CATALAN. Sir.

REP. PADUANO. ...inamin po ng Chief Accountant ng DEPED na she never bothered to check the authenticity, the correctness of such liquidation report, Mr. Chairman.

MS. CATALAN. I, Sir...Excuse me, Your Honor.

THE CHAIRPERSON. Yes, Ma'am, please.

MS. CATALAN. May I correct the word "not bothered", that I did not bother to check the completeness of the documents.

During that time, no matter how...ay, maybe...this is the first time nga iyong may cash advance ng confidential fund. But I was made to sign it. So...

REP. PADUANO. You were made to sign it by whom?

MS. CATALAN. Because it is a requirement that the liquidation should be covered by the liquidation voucher.

REP. PADUANO. But that is, Ma'am...that is your mandate.

MS. CATALAN. Yes...

REP. PADUANO. And your statement that you signed it without looking at the details, 'di ba, and that is on record.

MS. CATALAN. Yes, Sir. It was...

REP. PADUANO. O, ano...ano ngayon iyong gusto mong i-explain?

MS. CATALAN. Sir, I'm trying to explain that it was stated sa joint circular that it seems or imply that the documents, supporting documents should be directly submitted to COA in sealed envelope.

REP. PADUANO. Ah, that is your interpretation, Ma'am, but we have read the JMC.

MS. CATALAN. Yes, Sir.

REP. PADUANO. O, now, what? Are you telling this Representation that I am wrong and Chairman Acop?

MS. CATALAN. No, Sir. My apologies if you have misinterpreted what I am trying to explain.

REP. PADUANO. No. I did not misinterpret you. You are telling me that my statement is not correct.

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MS. CATALAN. No, Sir. I'm not...I'm not saying...I'm sorry po. I'm sorry. I'm sorry, Your Honor. But I'm trying to explain on why I signed that liquidation voucher.

REP. PADUANO. O, who told you to sign the document? Are you forced to sign the document?

MS. CATALAN. Not really forced but I was...

REP. PADUANO. What not really?

MS. CATALAN. I was requested to sign the document.

REP. PADUANO. O, you signed the document, but you never bothered to read this mandate of yours.

THE CHAIRPERSON. Ma'am, who ordered you to sign the document? Who ordered you to sign the document?

MS. CATALAN. Not really ordered but I was requested by...

THE CHAIRPERSON. Yes. Who requested you to sign the document?

MS. CATALAN. By ASec. Shine Fajarda.

THE CHAIRPERSON. Sino po?

MS. CATALAN. Si Assistant Secretary Shine Fajarda.

THE CHAIRPERSON. Sunshine Fajarda. Okay.

REP. PADUANO. Ma'am, ASec sa anong department po?

MS. CATALAN. Department of Education po.

REP. PADUANO. Ano specific na ano niya, position?

MS. CATALAN. Office ng Secretary.

REP. PADUANO. The Office of the Secretary. But she was not the signatory of this document, 'di ba, only her husband, tama?

MS. CATALAN. It was...

REP. PADUANO. Edward Fajarda signed it; VP signed it; and you signed it. But you were requested by Ms. Fajarda.

MS. CATALAN. Yes, Sir.

REP. PADUANO. O, Mr. Chairman, all the more that we have to...Ms. Sunshine Fajarda should be present on the next hearing para po patotohanan...

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. PADUANO. (Continuing)...para po patotohanan iyong statement ni Ms. Catalan. Sabihin na natin you were requested to sign it. So, why did you sign it, as per request of Ms. Fajarda?

MS. CATALAN. Yes, Your Honor, because it is...it is needed as a covering letter or covering document to the liquidation documents, supporting documents.

REP. PADUANO. Oo nga, pero sabi ko na nga...kaya nga ang statement ko kanina you didn't even bother to check, pumirma ka lang, 'di ba? No, it's either it's your lapse or you were forced to sign it without checking all those liquidation report, 'di ba, Ma'am?

MS. CATALAN. Yes, Your Honor.

REP. PADUANO. O, ano ba ang tama, nagkamali ka lang, nakaligtaan mong i-check, or you were forced to sign it without checking the liquidation report?

MS. CATALAN. It's...Hindi po nakaligtaan, but it is a needed document in the submission of the liquidation report.

REP. PADUANO. Of course, I know it, it is a needed...you have to sign it. But ang question is siyempre accountable ka, Ma'am, because of your mandate to your position, 'di ba? Now, sabi ko na nga, nakaligtaan mo or you were forced?

MS. CATALAN. I was requested, Sir.

REP. PADUANO. Hindi. Kaya nga, saan ba, nakaligtaan mo o you were requested?

MS. CATALAN. We were...I was requested.

REP. PADUANO. You were requested na pirmahan kaagad without checking the liquidation report?

MS. CATALAN. Yes, Sir.

REP. PADUANO. O, di, Mr. Chairman, again, kung ano mang word gagamitin, requested ba o she was forced to sign it without checking the liquidation report, ganoon pa rin iyon, 'di ba?

THE CHAIRPERSON. Ma'am.

REP. PADUANO. Ganoon pa rin iyon.

THE CHAIRPERSON. Ma'am, mayroon po akong isang tanong, nakakatanggap ba kayo ng envelope kay ASec. Fajarda? Iyong totoo po, Ma'am. Remember, you are under oath. Aside from your allowance from your regular budget, nakakatanggap po ba kayo ng envelope just like Usec. Mercado and Director Osias from ASec. Fajarda?

MS. CATALAN. Yes, Sir.

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THE CHAIRPERSON. Magkakano?

MS. CATALAN. Minimal amount lang po.

THE CHAIRPERSON. Which is how much po?

MS. CATALAN. It's not even ano…

THE CHAIRPERSON. Magkano po?

MS. CATALAN. It's 25,000.

THE CHAIRPERSON. Twenty-five thousand.

MS. CATALAN. Oo.

THE CHAIRPERSON. How many times po, if you could recall?

MS. CATALAN. Three-three-three, nine.

THE CHAIRPERSON. Ilan?

MS. CATALAN. Nine times.

THE CHAIRPERSON. Nine times. From what month up to what month? Let me guess, from February to September?

MS. CATALAN. I think so, Sir.

THE CHAIRPERSON. So, noong September po tumigil na.

MS. CATALAN. Yes, Your Honor.

THE CHAIRPERSON. Just like Usec. Mercado, tama po ba?

MS. CATALAN. Yes, Your Honor.

THE CHAIRPERSON. So, thank you po.

REP. PADUANO. Mr. Chairman, lastly, Mr. Chair. I'd just like to manifest, Mr. Chairman. Mr. Chairman. Chairman, can I? Last na lang po.

THE CHAIRPERSON. Yes.

REP. PADUANO. Ma'am, actually, Ma'am, talagang naawa din ako sa inyo kasi, o, tingnan mo accountable ka dito. Eh, sabi mo kanina ni-request ka, pero ang labas pa rin ganoon, eh, you were requested but…tapos medyo ang kalakaran noon may lagayan sa loob. Eh, kaya nga ako, Ma'am, I want to just express my ano, my sympathy to you. Naawa talaga kami sa inyo. Napipilitan kayong pirmahan iyong isang bagay na hindi tama. Eh, ngayon kung may kaso, 'pag lumabas iyong NDA, iyong finality noon, tatamaan kayo diyan. And, of course…Ako, Mr. Chairman, sabi ko nga naawa lang ako dito sa mga officials ng DEPED kapag ganito iyong kalakaran. Ngayon, dalawa na. Eh, baka sunod hindi lang dalawa, 'di ba? Kaya, Mr. Chairman, at least ngayon umamin na si Ma'am, tama na ako. Okay na ako, Chairman.

Thank you.

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REP. AURELIO "DONG" D. GONZALES, JR. Mr. Chairman.

THE CHAIRPERSON. Yes, Senior Deputy Speaker Dong Gonzales, you are recognized.

REP. A. D. GONZALES. Ma'am...Mr. Chairman, I'd like to address my question to Ms. Catalan, Ma'am, the accountant.

Ma'am, Mr. Chairman, siguradong dumaan sa iyo itong tseke na ito, 'di ba, you are the accountant, iyong 37.5 million, tama ho ba?

MS. CATALAN. Your Honor, hindi po dumaan sa akin iyong tseke kasi from...ang dumadaan lang po sa amin ay voucher.

REP. A. D. GONZALES. Tama. Meaning to say, the voucher is the basis sa preparation...sa preparasyon ng tseke, hindi ho ba?

MS. CATALAN. Yes, Your Honor.

REP. A. D. GONZALES. And, definitely, there is a date put in the voucher and they will follow that date in preparing the check. So, the check was signed by, of course, Usec. Sevilla and Usec. Mercado. Ang napansin ko lang po dito, if you...in your recollection, 2023 iyong isang tseke, that was February 20, 2023. That's number one check for the 37.5. Number two check, I thought this is quarterly. Ang date po ng tseke is April 19, 2023, it falls down to one quarter. Isang quarter lang po iyong dalawang tsekeng na-issue. Ang pangatlong tseke na-issue po ng November 23, 2023...ah, hindi po. Na-issue po pala iyong pangatlong tseke is July 11, 2023. In your recollection, tama ho ba itong tseke and based on your obligation on your voucher during the processes of the vouchers into check?

MS. CATALAN. Parang tama po, Your Honor.

REP. A. D. GONZALES. Tama. So, tama ho ba iyong tanong ko na per quarter at dalawang tseke po iyong ginawa niyong 37.5 in one quarter, tama ho ba?

MS. CATALAN. No, Your Honor, per quarter po siya.

REP. A. D. GONZALES. Per quarter is February?

MS. CATALAN. February for the first quarter, and then iyong April for the second quarter, and then iyong July for the third quarter.

REP. A. D. GONZALES. So, tama ho ba?

MS. CATALAN. Opo.

REP. A. D. GONZALES. So, that is equivalent to 37.5 times 3, that is equivalent to 112.5 million.

Number two question po, itong 125 million under Gina Acosta, ang date po ng tseke niya is July 13, 2023, halos nagkasabay lang po iyong July 11 ng DEPED at

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saka iyong July 13 ng OVP. Ang OVP is 125 million and the DEPED is 37.5 million. Kaya ang tinatanong ko po...Wala na po iyong Land Bank, umalis na kanina? Umalis na po iyong taga-Land Bank? So, meaning to say, ang July 11 at saka iyong July 13, ang na-withdraw po is 37.5 million at saka iyong 125 million, tama ho ba? Ay, hindi po kayo taga-OVP pala, DEPED kayo.

May OVP ho ba dito, OVP? Sa management, opo. Ah, wala. Kasi kung tingnan mo itong dalawang tseke, isang mukha lang po ito, eh, two days lang po ang diperensya, July 11 and July 20, 2023 of the amount of 37.5 and 125 million. Kaya tinatanong ko po sana iyong Land Bank kaso wala na. Next hearing ko na lang po, Mr. Chairman, tanungin kasi tatanungin ko siya kung papaano niya na-withdraw itong tatlong tseke at saka itong 125 million. So, Your Honor, Mr. Chairman, iyon lang po.

Maraming salamat.

REP. ABANTE. Thank you.

REP. JOSEPH "JOJO" L. LARA. Chairman.

REP. ABANTE. Thank you, SDS.

REP. LARA. Chairman, interject lang.

REP. ABANTE. Yes, Congressman Lara, please.

REP. LARA. Yes. Iyong tanong, Chairman, ni SDS Dong para sa OVP. I think nandito sa Atty. Poa, baka puwede niyang sagutin iyong tanong ni ano, ni DS Dong.

MR. POA. Opo. Mr. Chair, if I may be...

REP. LARA. Yes, nandito ang OVP former ano din naman.

MR. POA. Mr. Chair, if I may be recognized. Wala pa po kasi ako sa OVP noong ano po, 2023. I was with DEPED at that time, Sir, so I really wouldn't know kung ano iyong nangyari diyan.

REP. A. D. GONZALES. Ano po kasi, nakita ko lang po itong tseke...

MR. POA. Opo.

REP. A. D. GONZALES. ...na iyong date kasi halos magkapareho po iyong date.

MR. POA. Yeah. Opo.

REP. A. D. GONZALES. So, July 11, 2023 iyong last check na 37.5 at saka July 13, 2023 iyong 125 million.

MR. POA. Opo.

REP. A. D. GONZALES. So, meaning to say...

MR. POA. Malapit, opo.

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REP. A. D. GONZALES. ...submission of that two, equivalent to sum.

MR. POA. Yes, Your Honor.

REP. A. D. GONZALES. Iyon po iyong sinasabi ko, Chairman.

MR. POA. Iyon po. Unfortunately, Sir, I only...I got out of DEPED noong nag-resign si VP which was already July 2024...

(MS. JOY S. JARA TOOK OVER)

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MR. POA. (Continuing)...July 2024.

REP. A. D. GONZALES. Andito pala iyong Land Bank. I'm, sorry.

VOICE. DS, andiyan na po iyong Land Bank, SDS.

REP. A. D. GONZALES. Sorry, Ma'am. Nakabalik kayo, 'di ba?

Ma'am, itatanong ko lang sana kung itong Edward Fajarda, kasi po ako ang nagtanong nito last hearing, 'di ba iyong tseke ipapa-encash, ikaw ang branch manager, 'di ba? 'Pag ipapa-encash mo iyong tseke, naka-prepare iyong pera, ibigay mo sa counter. 'Pag binigay mo iyong pera sa counter, may ipapapirma po kayo sa kanya, 'di ba, iyong "received the amount of this" and sa likod ng tseke, pipirma pa po si Mr. Fajarda, tama ho ba?

MS. CAMPOSANO. Yes, Sir. The client will sign as an acknowledgement na...

REP. A. D. GONZALES. And at the back of the check?

MS. CAMPOSANO. ...ni-receive niya iyong tseke...the cash.

REP. A. D. GONZALES. The cash. So, puwede ninyo ho kaming bigyan noong receiving copy, noong tatlong receiving copy ng from Land Bank, iyong 37.5 million?

MS. CAMPOSANO. We will check our records, Sir.

REP. A. D. GONZALES. Yes, Ma'am. Thank you.

Tapos, Ma'am, number two, itong kay Gina Acosta na 125 million, sabi ninyo kanina sa Shaw Boulevard po ito pina-encash. Puwede po iyong sino nag-receive nitong July 13, 2023 na pina-encash po niya iyong 125 million at iyong July 11 na pina-encash naman ni Edward Fajarda under your branch para ipagsusog lang po natin iyong dalawang tseke. Puwede ho ba?

MS. CAMPOSANO. We will check our records, Sir.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

MS. CAMPOSANO. Thank you.

REP. ABANTE. Mr. Chair, I'd like to ask the question to Ms. Catalan. Do you realize your accountability on this and consequence of what you did, Ms. Catalan?

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. I would like to ask once again, were you requested or were you pressured?

MS. CATALAN. I was requested, Sir.

REP. ABANTE. You were requested. You were not pressured at all? Come on, tell us the truth here.

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MS. CATALAN. I was requested, Sir, in a nice way.

REP. ABANTE. The thing is this, you received an envelope nine times, am I right?

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. Is that not a form of pressure?

MS. CATALAN. Honestly, Sir, the first time I met or I talked with...

REP. ABANTE. Have you ever asked why are you being given an envelope?

MS. CATALAN. Yes, Sir. I asked her but...

REP. ABANTE. What was the answer?

MS. CATALAN. It's just an allowance from the Vice President.

REP. ABANTE. What's that?

MS. CATALAN. It was just an allowance from the Vice President. Actually, I asked...

REP. ABANTE. Is that...

MS. CATALAN. Allowance.

REP. ABANTE. Is that liquidated or is that recorded, or it's just given to you? Because it's different when you say "allowance" and it's just an envelope given to you, am I right?

MS. CATALAN. Sir, the first time I received it, I honestly asked ASec Shine, "Ma'am, is it part of the confidential fund?" Sabi niya, "No, it was just an allowance from the Vice President." So, for me, honestly, I received it knowing na...

REP. ABANTE. Okay.

MS. CATALAN. ...it was not part of the confidential fund.

REP. ABANTE. Who gave you the...who gave you the envelope?

MS. CATALAN. ASec Sunshine Fajarda.

REP. ABANTE. Who requested...who requested you to sign the accounting report?

MS. CATALAN. It was also ASec Shine Fajarda.

REP. ABANTE. Therefore, if it was ASec Fajarda who requested you, as you said to sign, and she is also the one that you gave...that gave you the envelopes, would you not think that it's a form of pressure on your part? Come on, but please tell us the truth here. Because look, ha, I think you know what I mean, isn't it? I do not think that you are going to receive envelopes from the same person that requested you without you, without you realizing that pressure of signing it, Ms. Catalan.

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MS. CATALAN. Your Honor, the first...at the first giving of the envelope, I honestly and asked ASec Shine if it is part of the confidential fund. Sabi niya, "Hindi, this is just an allowance from the Secretary. So, I trusted her word for that and without any thinking na it was really part of the confidential fund, honestly on my part. So, I received it honestly on my part without any kuwan na it was part of the confidential fund.

REP. ABANTE. I am saying this to you because alam mo talagang...My heart goes out to you, Ms. Catalan. You know, I think it would be...it would be best that, you know, in your own heart, you have been pressured because you received the envelopes, eh. You're not only being requested, you have been pressured because you received envelopes thinking that they are just allowances. But, you know, it is never recorded. It is not part of the budget that was given to the...to the OVP or the Sec...Department of Education. It's not part. Did you sign a voucher for it?

MS. CATALAN. No, Your Honor.

REP. ABANTE. See. I mean...So, what I am saying is this, those nine envelopes you received is a form of pressure on your part or on the part of the same person that asked you to sign, Ms. Catalan. Am I right? Yes or no? No. Yes or no?

MS. CATALAN. Maybe, Your Honor.

REP. ABANTE. You know, that's not maybe. It's yes, isn't it? Am I right?

MS. CATALAN. Maybe, Your Honor.

REP. ABANTE. Am I pressuring you now? Am I pressuring you now?

MS. CATALAN. I'm so nervous right now, Your Honor.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. The Chair would like...

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. ...to recognize the presence of the Honorable Jude Acidre, the Deputy Majority Leader from TINGOG Party List.

REP. PADUANO. Mr. Chairman...

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. ...this will be my last manifestation, Mr. Chairman. Just I want to put on record that in today's hearing, Ms. Catalan, the head accountant, Chief Accountant of DEPED, admitted that she, indeed, she was...as the term being used by her is being requested to sign. But, of course, tumanggap din po ng extra si Ms. Catalan.

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Now, but in the previous hearing, Mr. Chairman, I just want to put on record that it is not only Catalan, 'no, na tumanggap ng sobre. Atty. Resty Oases or Osias also admitted. Now, even Atty. Michael Wesley Poa, nandito ngayon, admitted also, but that was December, only December. But he still admitted that he received some...some amount from the Vice President. And, of course, Ms. Gloria Jumamil also...ah, Mercado. Si Ma'am bitbit niya pa iyong ano mga sobre, 'no, iyong original na mga sobre at nandito ngayon, 'no, in possession natin. And, of course, lahat na ito is galing from Ms. Sunshine Fajarda na HEA ni VP, at the same time, asawa noong SDO ng Office of the Vice President in relation to confidential fund.

So, as of now, apat na po, apat na po ng mga officials ng Vice President na umamin na tumatanggap po ng...ng sobre galing sa Vice President.

Thank you, Mr. Chairman. That's all.

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Zia Alonto.

REP. ADIONG. I yield to the Senior ano...I just have a few questions, but I yield to...

THE CHAIRPERSON. With the indulgence of Congressman Zia...

REP. ADIONG. ....but I yield to Chairman...

THE CHAIRPERSON. ...the Chair would like to recognize Congressman Acop.

REP. ACOP. Thank you.

Madam Catalan, dadagdagan ko iyong pagka nerbiyos mo. Nag-iisip lang ako doon sa sinabi mo na noong binigyan ka ng unang sobre, sinabi mo kaagad, ang tanong mo kaagad, eh, "Galing ba ito sa confidential fund?" Tama po ba iyong pagkarinig ko?

MS. CATALAN. Yes, Your Honor.

REP. ACOP. Bakit ganoon ang tanong mo?

MS. CATALAN. Because, honestly, I'm wondering but ako bibigyan and during...

REP. ACOP. Ngayon, honestly...

MS. CATALAN. ...because after the...

REP. ACOP. ...nagtanong ka kung bakit...

(MS. THELMA M. RETUBA TOOK OVER)

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REP. ACOP. (Continuing)...nagtanong ka kung bakit ka binibigyan. Ano ang sagot doon sa tanong mo na iyon?

MS. CATALAN. But I was made to understand by ASec Shine na it is an allowance from the Secretary, from the Secretary.

REP. ACOP. Kayo po ay Accountant, 'di po ba?

MS. CATALAN. Yes, Your Honor.

REP. ACOP. Matanong ko po kayo. Saan po nanggaling na pondo ang source of fund noong allowance na ibinigay sa inyo?

MS. CATALAN. I didn't have the courage to ask for that anymore.

REP. ACOP. Eh, itinanong mo nga...you had the courage to ask "Galing ba ito sa confidential fund?" Tapos hindi...you did not have the courage to ask saan galing iyan kung hindi galing sa confidential fund, 'di po ba?

MS. CATALAN. Yes, Your Honor.

REP. ACOP. 'Di ba may lakas ka ng loob na tanungin "Galing ba ito sa confidential fund?" Pero hindi mo itinanong noong sinabi niya hindi galing sa confidential fund iyan. Saan galing? 'Di ba dapat iyon ang sunod na tanong, following your line of questioning? Kasi, Madam, it is irrelevant whether you are aware of what you have signed or not kasi under the circular, you can be also liable. You cannot escape that kasi sa dami nang inimbestigahan ko, basta nakikita iyong signature na nandoon iyong signature, pa-file-an ka ng kaso noong imbestigador, 'di ba?

Kaya nagkukuwan ako doon sa kuwan, eh, you were brave enough to ask kung galing sa confidential fund kasi nasa isip mo na doon sa pinirmahan mo doon manggagaling iyong pondo na ibinibigay sa inyo as an allowance, 'di ba? Iyon ang napasok sa isip mo, eh, na binigyan ka ng allowance sa pagpirma mo dahil sa confidential fund, sa pag clear o liquidate noong confidential fund, 'di ba, iha?

MS. CATALAN. Yes, Your Honor.

REP. ACOP. Yes. And you did know that because of your signature puwede kang lumubog. Tama, iha?

MS. CATALAN. Yes, Your Honor.

REP. ACOP. Sige. Thank you, Mr. Chair.

REP. ABANTE. Mr. Chair, with the indulgence of Congressman Adiong...

THE CHAIRPERSON. Congressman Abante, you are recognized.

REP. ABANTE. ...in relation to what Congressman Acop said. I remember some years ago, Mr. Chair, that when the Vice President was still in the DEPED, that there is a rule, a rule that she made "No Gift Policy". Am I right, Atty. Poa?

MR. POA. Yes, Your Honor. That is correct, Your Honor.

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REP. ABANTE. That's the rule "No Gift Policy". Do you remember that, Ms. Catalan?

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. So, why is she giving envelopes if the rule in her office is "No Gift Policy"? Therefore, even the Vice President would think that whenever a gift is given, that's bribery, that is subtle bribery, Ms. Catalan.

MS. CATALAN. Maybe.

REP. ABANTE. It's not maybe. Sabi mo sa akin "No Gift Policy", eh. So, therefore, if the Vice President said that there is No Gift Policy, therefore she is trying to avoid any kind of a bribery or a corruption in her part.

Atty. Poa, can you please…do you believe that?

MR. POA. Well, yes, I do believe that, Your Honor, because even us sa OSec, when I was in OSec, no gifts talaga kami from anyone. No gifts. No Gift Policy was in placed.

REP. ABANTE. So, see. Nakita ninyo iyong answer ng dating Spokesperson ni Vice President? Am I right? That's the reason why I'm asking you if you were pressured. Siguro kinakailangan, kinakailangang sabihin mo na dito sa amin, you were pressured because of the allowances given to you. Oo. 'Di ninyo na kinakailangang pagtakpan pa iyong nagbigay sa iyo, eh.

Ms. Catalan, ikaw po ang accountable dito. Ikaw ang kawawa dito. You do not even need to protect those that gave to you the envelopes. Because the fact is this, when the rule in the Vice President's office is "No Gift Policy," she would think that to be corruption. Therefore, iyong pagbigay ng allowance sa iyo is actually subtle bribery. Hindi po ba?

MS. CATALAN. But according kasi kay Atty. Shine during that time, it came from the Secretary and who was really just, maybe, he was just grateful doon sa performance namin. So, I considered it not really a form of bribery or I was not pressured to sign the liquidation voucher but I was requested to sign it, Sir.

REP. ABANTE. I'm not going to, you know, in any way try to convince you otherwise, Ms. Catalan. What I'm just trying to say is when the rule of the Vice President is "No Gift Policy". In fact, hindi nga siya tumatanggap ng gift sa amin kahit na bigyan namin siya. Hindi siya tumatanggap. Ngayon, kung siya mismo hindi tumatanggap, bakit siya nagbibigay sa inyo as a form of gratitude? That's your duty, Ms. Catalan. Whether there is no envelope given as a form of gratitude, it's your duty to do your job. Am I right?

MS. CATALAN. Yes, Your Honor.

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REP. ABANTE. That's what I'm saying.

THE CHAIRPERSON. Congressman Zia, you are recognized.

REP. ADIONG. Thank you. Thank you, Mr. Chair.

I'd just like to do some follow ups on the questions of Chairman.

Ms. Catalan, I'd like to know...I think this has already been asked of you pero I'd like to know how long have you been working in DEPED?

MS. CATALAN. I've been with the Department for almost 36 years, Sir.

REP. ADIONG. Thirty-six years. As an Accountant, 'no, familiar naman po kayo sa trabaho ninyo for the past three decades. Alam ninyo po iyong differences between incentives, bonuses, allowances, hindi ho ba?

MS. CATALAN. Yes, Your Honor.

REP. ADIONG. And when you say bonuses and all of these categories, mayroong pinagkukunan po ng pondo diyan, 'di ba? Nakalaan naman po iyan, ano?

MS. CATALAN. Yes, Your Honor.

REP. ADIONG. Can you enlighten me po, because according to your responses, do you treat this regular...I don't know how to label it, but as a gift, 'no, just for the lack of a better term, kasi hindi mo po ma-pinpoint kung saan talaga galing iyon, puwede ninyo pong sabihin, i-clarify sa amin, kung based on your experience kasi alam naman po dapat may mga bonuses iyan, 'di ba, sa mga regular employees. In fact, every...before the end of this year mayroon talagang bonus packages iyan ibinibigay and mayroon namang incentives, 'no. Can you at least distinguish, based on your work, job description, on how you appreciate the differences of this.

Pag sinabi mo pong allowance, saang regular na kinukuha na pondo iyan?

MS. CATALAN. Normally, Sir, pag regular po siya at saka iyong normal siya sa appropriation or standard appropriation, sa personal services ng agency.

REP. ADIONG. Okay, sa personal services. Pag sinabi ninyo pong mga incentives doon sa empleyado, because I believe they are also some employees who have, you know, gone beyond what is expected of them, exemplary iyong kanilang mga tinatrabaho, kaya nabibigyan sila ng incentives noon. Mayroon din ho kayong ganyan at saan po nakukuha din ho iyan na category?

MS. CATALAN. Sa DEPED, there was no line item for incentives.

REP. ADIONG. Wala po. Walang incentives. What about bonuses po?

MS. CATALAN. Bonuses, mayroon po, Sir, sa personal services po siya.

REP. ADIONG. Sa personal services. Okay. So, these allowances and these bonuses are regular funding. Tama po ba?

MS. CATALAN. Yes, Sir.

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REP. ADIONG. Kasi alam ninyo po ang pinagkukunan.

MS. CATALAN. Yes, Your Honor.

REP. ADIONG. So, would you say po, itong experience ninyo for the past 36 years, has there any instance where a former or previous Secretary have also done similar gifts or allowances, as you may call it, prior to the one that is now...but prior to the incumbency...

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REP. ADIONG. (Continuing)...incumbency of then Secretary Duterte?

MS. CATALAN. No, Your Honor.

REP. ADIONG. Okay. So, would it be safe to assume, Mr. Chair, that this is something irregular? Kasi ang sabi ninyo po, the allowances and as well as iyong mga bonuses are regular fundings. They are line items under your budget kasi Accountant kayo at doon nakukuha, so it's a regular funding, 'no. According to you, there has never been up for the past three decades of your work—your stay in DEPED—there has never been any instance where there is an administrative policy of your Department that says puwede kayong magbigay regularly ng mga sobre sa mga empleyado. So, that's something irregular, hindi ho ba?

MS. CATALAN. Sir, I was made to understand that the allowance came from the Secretary...

REP. ADIONG. But you have already...yes.

MS. CATALAN. ...personally.

REP. ADIONG. But you have already described to us that the appreciation of allowances is actually based on irregular funding that is allotted to. So, what else can you...what else can you describe that kind of pabuya, halimbawa, o pagbibigay sa inyo since according to you hindi naman siya nagpo-fall as an allowance?

MS. CATALAN. I was made to understand that it came from her personally...

REP. ADIONG. Yeah.

MS. CATALAN. ...personally...personal money niya. I was made to understand that it came from the personal money of the Secretary.

REP. ADIONG. Okay. So, what do you, ano, was there any instance, for example, na, sabi nga ni Manong Romy kanina, what made you first ask si Attorney na ito ba ay galing sa confidential funds, hindi ho ba? That's your initial, eh. Ibig sabihin, you already had a prejudgment that this may come from the confidential funds. And then later on, you were made to believe, according to you, that is a regul...it's come from the budget of the OVP budget...personal budget of the OVP. Sa inyo po bang palagay—I'm just asking you now, not as a consultant, but as a regular average-minded person—sa inyong palagay, kaya ho ba iyon ng isang tao na magbigay nang ganoong...regularly, ng amount, based ho doon sa sitwasyon noong nagbibigay—in this case—Secretary? Just your...or just your...you know, your...

MS. CATALAN. Sa akin, Sir, kasi, kaya naman niya kasi malaki naman ang suweldo ng Secretary.

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REP. ADIONG. Ah, okay. So, ang palagay ninyo doon na...na doon sa inyo napupunta iyong kanyang...sa palagay ninyo iyon?

MS. CATALAN. Iyon iyon, Sir, honestly, iyon ang palagay ko kaya I was made to understand na it came from the personal money of the Secretary.

REP. ADIONG. Okay. So, gusto ko lang pong malaman na, Ms. Catalan, how often did you receive these funds, I mean, these...

MS. CATALAN. Monthly.

REP. ADIONG. Monthly. Monthly, so, ilang months po kayo nag-receive ng ano?

MS. CATALAN. February to...

REP. ADIONG. So, when...when did it start? When did it start? Kasi sinabi ninyo confidential fund, when did it start, when the confidential fund was requested? When was the confidential fund requested again?

MS. CATALAN. The first issuance of the confidential fund was around February.

REP. ADIONG. So, when did you receive the allow...the ano?

MS. CATALAN. After. After the release of the cash of the...

REP. ADIONG. Okay. So that made you re...that made you think...

MS. CATALAN. Yes. Oo. Yes.

REP. ADIONG. ...that it's confiden...But, prior to the confidential fund, you were never received any?

MS. CATALAN. No, Your Honor.

REP. ADIONG. Okay. So, hindi mo masasabi na galing...personal money niya iyon?

MS. CATALAN. Again, I trusted...

REP. ADIONG. Yeah, but you said, Ms. Catalan, that you made to understand that it was...malaki naman ang suweldo niya. So, bakit noong umupo siya hindi na siya nag-start magbigay? Bakit nag-start siyang magbigay noong nag-first na na-release na rin iyong confidential funds? I think that's the...that's what made you think that it's part of the confidential funds.

Again, Mr. Chair, just a manifestation, na, sabi nga, it's something irregular. It does not happen, 'no, in the previous, it did not happen prior to the release and/or request of the confidential funds.

That would be all, Mr. Chair. Thank you very much.

REP. ABANTE. Mr. Chair.

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REP. JUDE A. ACIDRE. Mr. Chair.

THE CHAIRPERSON. Congressman Abante.

REP. ABANTE. Nakatanggap po kayo ng nine envelopes na nagkakahalaga ng 25,000 each, hindi ba?

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. That would be around almost 250,000 all in all kung 10 iyan.

MS. CATALAN. Two twenty-five.

REP. ABANTE. Two hundred twenty-five thousand.

MS. CATALAN. Yes.

REP. ABANTE. So, alam ninyo po that is 225,000 in all. Alam ninyo iyon.

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. And kailan po natapos iyon, nang pagbibigay?

MS. CATALAN. September. September po.

REP. ABANTE. September of last year?

MS. CATALAN. 2023, Your Honor.

REP. ABANTE. September of 2010?

MS. CATALAN. 2023, Your Honor.

REP. ABANTE. 2023, oo. Kailan po natapos ang pag-release ng confidential fund?

MS. CATALAN. Third quarter, Your Honor.

REP. ABANTE. Ng?

MS. CATALAN. I cannot...

REP. ABANTE. 2023?

MS. CATALAN. The...July po iyong release noong check for the third quarter.

REP. ABANTE. Of 2023, correct?

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. Oo. So, hindi pa kayo nakahalata na that's part of the...of your responsibility of signing iyong nakukuha ninyong allowances? You remember, ha, tingnan ninyo maigi, 225,000. Alam ninyo, binilang ninyo, you counted it.

Mr. Chair, iyon lang po.

THE ACTING COMMITTEE SECRETARY. Your Honor, may I be recognized? Committee Secretary, Your Honor.

THE CHAIRPERSON. ComSec, you are recognized.

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THE ACTING COMMITTEE SECRETARY. Your Honor, we would like to recognize the presence of the Honorable Lordan G. Suan from the 1st District of Cagayan de Oro. Welcome, Your Honor.

Mr. Chair...

THE CHAIRPERSON. Congressman...

THE ACTING COMMITTEE SECRETARY. Mr. Chair.

THE CHAIRPERSON. ...Acidre.

REP. ACIDRE. Mr. Chair, gusto ko lang pong itanong kay...

THE CHAIRPERSON. Yes, Congressman Acidre, you are recognized.

REP. ACIDRE. Mr. Chair, gusto ko lang hong balikan iyong sinabi kanina ni Ms. Catalan na iyong paniniwala po niya iyong pera na ibinigay sa kanya nanggaling po sa suweldo ng dating Secretary? Tama po ba?

MS. CATALAN. Personal money po niya, Your Honor.

REP. ACIDRE. Oo. Pero narinig ko kanina, suweldo, hindi ba?

MS. CATALAN. Tinanong kasi kung naniniwala ako na kaya. Sabi ko naman, kasi malaki naman suweldo niya.

REP. ACIDRE. Pero, for the record lang, may suweldo ba si VP Sara as Secretary of Education?

MS. CATALAN. Wala. Wala, Your Honor. Nasa OVP siya.

REP. ACIDRE. Okay. Iyon lang po.

THE CHAIRPERSON. Wala na?

REP. ACIDRE. Mr. Chair...

THE CHAIRPERSON. Please...please continue.

REP. ACIDRE. ...puwede po bang maitanong kay Usec Mempin po, puwede po bang ma-request na sumagot ng tanong si Usec Mempin?

THE CHAIRPERSON. Usec Mempin.

MR. NOLASCO A. MEMPIN. (Former Undersecretary for Administration, Department of Education). Yes, Your Honor, Mr. Chair.

REP. ACIDRE. Thank you po, Usec, Mr. Chair.

Usec Mempin, Mr. Chair, ano po iyong designation ninyo ulit sa DEPED?

MR. MEMPIN. Former Usec for Admin po.

REP. ACIDRE. Pero ngayon, hindi na po kayo Usec for...

MR. MEMPIN. No more, Sir.

REP. ACIDRE. Kailan po kayo na-appoint at kailan po natapos?

MR. MEMPIN. I was appointed as Usec, June 21, 2023, Sir.

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REP. ACIDRE. June 21, 20...

MR. MEMPIN. '23 po, Sir.

REP. ACIDRE. '23. At natapos po?

MR. MEMPIN. July 19, the effectivity of the resignation of the Vice President as Secretary of DEPED, Mr. Chair.

REP. ACIDRE. Mr. Chair, nag...curious lang po ako kasi I sit po in the MSGC ng Armed Forces of the Philippines at ako po ay medyo curious sa situation na isang dating militar po ay ma-appoint po sa Department of Education. Is there any circumstance leading to your appointment? Parang... paano kaya na-consider? Sa tingin ninyo po ba trust and confidence ang rason bakit kayo na-appoint as Undersecretary?

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. ACIDRE. So, ibig sabihin, matagal ninyo na hong kilala, Mr. Chair, ang...si Secretary...dating Secretary, si Vice President Sara Duterte?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. ACIDRE. Kailan po kaya, Mr. Chair, ninyo naging kilala si VP Sara?

MR. MEMPIN. When I was designated as the Commander of Task Force Davao in 2017, Your Honor, Mr. Chair.

REP. ACIDRE. Ah, so na-appoint po kayo sa Davao...

MR. MEMPIN. Yes, Sir, as the...

REP. ACIDRE. ...sa Task Force Davao po, Mr. Chair?

MR. MEMPIN. Yes, Your Honor.

REP. ACIDRE. Tanong ko lang po, Mr. Chair, paano po nakatulong iyong experience ninyo bilang military person sa DEPED po, sa inyong trabaho sa DEPED, Mr. Chair?

MR. MEMPIN. Your Honor, Mr. Chair, I do believe, the...our leadership and management style was the basis because, actually, I was designated Usec for Admin and not on the...more on the education like the curriculum and teaching strand. So, when I was recruited, I accepted the offer...

(MS. FLORISA M. PADA TOOK OVER)

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MR. MEMPIN. (Continuing)...the offer of the Vice President and former Secretary, Your Honor.

REP. ACIDRE. So, Mr. Chair, sa malamang sa hindi po, naging kasama din po kayo sa pagbalangkas o 'di kaya sa pag-monitor iyong mga activities regarding insurgency recruitment ng mga grupo doon sa DEPED, sa mga estudyante o 'di kaya sa mga teacher?

MR. MEMPIN. No, Sir. Because when I was...actually, as Congressman...Congresswoman Luistro asked during last hearing, I was also...prior to my designation as Usec for Admin, I was recruited first as a consultant because I just retired from the military service January 28 of 2023, and most of the commanders or the field unit commanders are my colleagues. So, that's I do believe the advantage that I have in terms of collaboration with security sector, Your Honor.

REP. ACIDRE. So, Mr. Chair, would you...Usec. Mempin categorically say na you had no participation whatsoever in all these activities related to intelligence operations within the Department of Education?

MR. MEMPIN. Yes, Your Honor. Because there's no...in the mandate of the Usec for Administration, there's no tasking or function about coordination with a...with the other agency. I do believe it's the purview of the operational strand because they are the one directly supervising the divisions and districts and even down to the school, Your Honor, Mr. Chair.

REP. ACIDRE. Naitanong ko po ito, Mr. Chair, kasi kung titingnan natin, hindi ho birong halaga ang itinalaga ng DEPED, Mr. Chair, sa mga confidential activities, lalo na itong mga purchase of information.

Since you mentioned that you were working with the divisions and the...and the regions, Mr. Chair, ang tanong ko lang po, may data po kaya from the regional or division offices on the recruitment of students or teachers by subversive organizations?

MR. MEMPIN. Personally, Sir, I do not have the information, but as the armed forces have some...on a...based on their intelligence report, they do have some data on recruitment. But to the specific, I don't have the information, Your Honor, Mr. Chair.

REP. ACIDRE. But on their...on its own, DEPED, did they undertake any investigation or study in order to establish for a fact, even as to the extent of the prevalence of subversive organizations within the Department or within the school system?

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MR. MEMPIN. I was not aware if there's any study made prior...made prior or...up to now because it's the purview of the operation. Maybe, the Usec for Operation could give us...answer your question, Mr. Chair, Your Honor.

REP. ACIDRE. Mr. Chair, baka puwede pong sagutin ni Usec. Poa?

Mayroon kayang study na ginawa ang DEPED na mag-e-establish po to the extent ng prevalence nitong mga subversive organizations within the school system?

MR. POA. Iyong sa personal knowledge ko po, mayroon pong mga collaboration, 'no, at that time when I was there with NICA, NTF-ELCAC. I got infor...For a previous budget hearing, wherein I mentioned nga na there were X number of schools in Metro Manila with recruitment, I believe the information actually came from NICA-NCR. But with iyong talagang operationalizing, iyong pagtse-check kung saan may recruitment, wala po akong personal knowledge. I was actually looking at Usec. Revsee because he's the Usec for Operations to check, 'no, kung mayroon siyang knowledge on that.

REP. ACIDRE. Puwede ba nating tanungin si Usec. Revsee kung mayroon?

MR. POA. Sorry, Your Honor, Mr. Chair.

MR. REVSEE A. ESCOBEDO (Undersecretary for Operations, Department of Education). Good afternoon, Mr. Chair, Your Honors.

THE CHAIRPERSON. Usec, what's your name again?

MR. ESCOBEDO. Usec. Revsee Escobedo.

THE CHAIRPERSON. You're recognized.

MR. ESCOBEDO. Yeah. Thank you, Mr. Chair.

Your Honors, with regard po the...regarding sa data, kami po ay nakikipag-collaborate and ask for some data with NTF-ELCAC and NICA. Because with regard doon sa pangangalap ng data about these organizations, aboveground and underground, wala po kaming capability and competence to do that.

REP. ACIDRE. So, there is no way that DEPED would have the competence, Mr. Chair, to...to gather the data, to ensure its accuracy, or even establish its relevance. We are totally dependent on the information provided by NICA and NTF-ELCAC.

MR. ESCOBEDO. Yes, Your Honor.

REP. ACIDRE. So, if that's the case, Mr. Chair, what's the basis for having appropriated this big amount of money when there is no way that the Department would have established it internally, 'di ba?

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Iyon ang tanong ko, Mr. Chair, eh. Paano po nakapagdesisyon ang Departamento ng Edukasyon na maglaan ng ganitong kalaking amount, ni wala namang pamamaraan internally ang Department of Education to understand or to establish lang naman the extent of subversive activities? Kasi kung...kung wala pong ganoong basehan at ang information lang ho ay nanggaling sa NICA at sa ELCAC, eh, 'di ba dapat mas tama na sinala...sila na rin din ang lagyan ng pondo kaysa sa Department of Education, Mr. Chair?

Usec. Mempin.

MR. MEMPIN. Let...May I elaborate, Sir?

Actually, the Department of Education, as the thrust of former Secretary, the protection of children, that's why there is a collaboration between security sector—meaning, the Armed Forces, the Philippine National Police—wherein they conducted information education campaign and also the wireless, and even the campaigns against drugs because, for example, nabanggit na po kanina iyong conduct of wireless. Sa wireless po kasi is a...a program of the...

REP. ACIDRE. Mr. Chair, I'll cut you there, Sir.

There is no question about fighting insurgency. There is no question against responding to all these threats. But the thing is, there must have been a measurable way of determining ganito ang kailangan naming amount kasi ganito na kalaki ang problema. Ang tanong, mayroon bang ganiyang ginawa sa loob bg DEPED to be able to justify assigning this amount for this kind of activities?

MR. MEMPIN. Your Honor, Mr. Chair, I was not aware if there is any.

REP. ACIDRE. Usec, mayroon? Usec...Mr. Chair, Usec. Poa.

MR. POA. Mr. Chair, if I may be recognized.

Mr. Chair, I...when the...when the amount was proposed under, I believe, for the...for 2023, 'no, so, 2022 budget, I was still a spokesperson. I was not part of OSEC, so I had no ano...I cannot give you any information on how the amount was derived, Your Honor.

REP. ACIDRE. I think, Mr. Chair, the reason bakit walang makasagot nang direkta kung may empirical basis for assigning funds to these activities is because there is no basis at all. And if we can say that there is no basis and we cannot establish qualified outcomes, kasi nga hindi natin ma-justify kasi wala din tayong basis, hindi rin natin ma-establish iyong outcomes, eh, puwede ho natin...ako, sa aking pananaw, puwede nating masabi na hindi talaga nangyari iyong mga purchase of information. Hindi talaga nangyari itong mga confidential activities. At, basically,

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kailangan nating tanungin saan ba talaga napunta iyong pera na nilaan for confidential funds.

That's all, Mr. Chair.

THE CHAIRPERSON. Thank you.

Yes, Congresswoman Luistro.

REP. LUISTRO. Follow-up question for Usec. Mempin.

Usec, as shared earlier, it was stated by the Vice President during the presscon na ang confidential fund po ng DEPED ginamit to obtain information so they could inform the military…

(MS. KRISSA MAE S. SALDEVAR TOOK OVER)

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REP. LUISTRO. (Continuing)...inform the military and the LGU where to hold the Youth Leadership Summits and the Information Education Campaigns. Are you aware, Usec. Mempin, sino po ba itong naging source ng information who were the basis of the information given to the military and the LGU?

MR. MEMPIN. Mr. Chair, Your Honor, I have no personal knowledge as to the person or groups of person that provided the information.

REP. LUISTRO. I understand, Usec. Mempin, that prior to your appointment as Usec for Administration, you were hired as a consultant for Security Services, tama po ba?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. And I am inclined to believe that for concerns pertaining to security, kayo po iyon. Was there never an instance that you were consulted as to the possible source of information?

MR. MEMPIN. Your Honor, Mr. Chair, my role as a consultant on security matter is...as also mentioned by Usec. Revsee, is coordinating and collaborating with other security sector as to the status of their intelligence collections and their efforts with regards to the protection of youth, particularly children, Ma'am.

REP. LUISTRO. Let us be very specific, Usec. Mempin, as to the possible sources of confidential information to be provided to the military and to the LGU, kayo po ba ay may nalalaman dito?

MR. MEMPIN. Personally, I have no direct information, Ma'am.

REP. LUISTRO. Kung wala po kayong nalalaman dito, Usec. Mempin, then who among the officials of the DEPED has knowledge about the sources of information?

MR. MEMPIN. Personally, Ma'am, I don't have...because as also I'm...in my capacity as Usec for Administration, I was not...in terms of...particularly National Task Force-ELCAC, I was not the one representing DEPED and other security cluster. I am only member of the...or requested to represent the Secretary in the Anti-Terrorism Council, which is more on the extreme terrorism and the extremist po.

REP. LUISTRO. In other words, Usec. Mempin, you have no knowledge at all about the sources of this confidential information.

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. During the last hearing, you testified that you were the one who requested for the certification of the four AFP officials, do you confirm this?

MR. MEMPIN. That's...Yes, I confirm, Your Honor, Mr. Chair.

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REP. LUISTRO. These include Officer Manaros Boransing, Officer Carlos Sangdaan, Officer Magtanggol Panopio, and Officer Adonis Bajao, do you confirm?

MR. MEMPIN. Yes, Your Honor, Mr. Chair.

REP. LUISTRO. Would you know, for the record, that the reason why the YLS and IECs that were conducted and to which these officers issued certification, were result of the information that was given by DEPED?

MR. MEMPIN. Ah...

REP. LUISTRO. Nalalaman niyo po ba kung ang dahilan kung bakit nagkaroon ng YLS, as certified by Boransing, Sangdaan, Panopio and Bajao, ay ang mga impormasyon na na-obtain ng DEPED at ibinigay sa AFP?

MR. MEMPIN. I have no personal direct information that this...the information directly came from the Department of Education, because in their certification, it stated that the information gathered from the DEPED, LGU, and even Philippine National Police, and some from the PDEA, Ma'am.

REP. LUISTRO. If you are the one coordinating with these four AFP officers who issued the certification and you have no knowledge at all about the connection of the source of information and the recipient of the YLS, is it a reasonable conclusion na wala naman po talagang information na na-i-provide sa AFP, reason kung bakit nagkaroon ng YLS, yes or no, Usec?

MR. MEMPIN. May I be clarified on the question, Ma'am.

REP. LUISTRO. If you are the one coordinating with these officers, you and you alone coordinating with these officers who issued the certification on the conduct of YLS, and you are telling us wala kayong alam doon sa confidential information, which are supposed to be the basis of the conduct of the YLS, would you agree with me if I would say wala naman talagang impormasyon na nai-provide sa AFP? Because, as a matter of fact, Usec. Mempin, during the last hearing, all these four officers testified that this YLS is part of the regular program. Do you agree, yes or no?

MR. MEMPIN. Yes, I agree that it is an activity of the Armed Forces.

REP. LUISTRO. Yes, you agree that this is part of the regular activity of AFP. With or without DEPED, the AFP regularly conducts YLS, tama po ba?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. And with regards to the information, which are supposed to be provided by the DEPED to the AFP for the conduct of YLS, do you agree as well wala talagang information na na-provide, yes or no?

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MR. MEMPIN. I don't have the exact information whether they have the information directly coming from DEPED.

REP. LUISTRO. Usec. Mempin, you are the lone official of the DEPED coordinating with these four officers of AFP.

MR. MEMPIN. Ma'am, may I be allowed to elaborate further. Ma'am, because I also...during my stint as a commander in the field, we also conducted the Youth Leadership Summit during my battalion commander, brigade commander and even division commander.

REP. LUISTRO. You were still with the AFP during that time.

MR. MEMPIN. Yes...

REP. LUISTRO. Because that is consistent with your prior testimony and even of the rest of the AFP officers that YLS is part of the regular activity. With or without DEPED, AFP conducts YLS, tama po ba?

MR. MEMPIN. That's correct, Your Honor, Mr. Chair.

REP. LUISTRO. So, what is your answer now? May information po bang na-provide?

MR. MEMPIN. Ma'am, as I...again, I have no knowledge if they have a direct information or none, Your Honor.

REP. LUISTRO. I therefore conclude, Usec. Mempin, that no information was provided by DEPED to AFP. This is based on the fact that you are the lone DEPED official who are coordinating with these officers. And if you, yourself has no knowledge at all, then, who else would have a knowledge in DEPED?

Mr. Chair, I wish to raise few questions with Ms. Catalan, Ma'am.

THE CHAIRPERSON. Ms. Catalan, you are recognized.

MS. CATALAN. Yes. Yes, Your Honor.

REP. LUISTRO. What made you decide to disclose the information to the Committee that you received nine envelopes?

MS. CATALAN. I was just being honest because the Honorable Chair has asked me.

REP. LUISTRO. But what were you thinking when this question was raised, were you thinking that it will incriminate you into an offense or crime, or were you thinking that it is just okay to disclose because you honestly believe that the same came from the personal money of the Vice President?

MS. CATALAN. As I've mentioned earlier, I was made to understand that the money came personally from the Secretary.

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REP. LUISTRO. Ano po ba ang diperensya o pagkakaiba, Ms. Catalan, kung iyon po bang pera ay galling sa confidential fund at kung iyong pera ay galing sa personal na pera ng Vice President? May diperensya po ba iyon?

MS. CATALAN. Yes, Ma'am. Kasi nga kaya ko siya tinanong noong una, "Is this part of the confidential fund," and I was made to understand na no, it came…

REP. LUISTRO. From your personal standpoint, Ma'am, kung iyon po ba ay galling sa confidential fund, what therefore is the issue?

MS. CATALAN. I could have said…I could have refused to accept.

REP. LUISTRO. Why, Ma'am? Bakit mo ire-refuse kung galing siya sa confidential fund?

MS. CATALAN. Kasi po may nababalitaan na kasi ako na kapag confidential medyo may problema…

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MS. CATALAN. (Continuing)...may problema. So...

REP. LUISTRO. And yet, you conformed to sign the liquidation in spite of the knowledge that there are issues surrounding already confidential fund? Tama po ba?

MS. CATALAN. I signed the liquidation voucher or liquidation report because it should be part of the liquidation documents that should be submitted.

REP. LUISTRO. Yes, I understand. But that is a confidential fund, liquidation of confidential fund. Tama po ba?

MS. CATALAN. Yes, Your Honor.

REP. LUISTRO. So, ano po ba ang iniisip ninyo na issue kung iyong perang napabigay sa inyo ay galing sa confidential fund?

MS. CATALAN. That could be subjected to post-audit.

REP. LUISTRO. That's all?

MS. CATALAN. Yes, Your Honor.

REP. LUISTRO. Eh, kung ito naman pong perang ito'y galing sa personal money ni Vice President, what will be the issue?

MS. CATALAN. Your Honor, wala po kasi personal money naman po niya iyon.

REP. LUISTRO. That's what you believe?

MS. CATALAN. Yes, Your Honor.

REP. LUISTRO. How long have you been in the government?

MS. CATALAN. I've been in the government for 36 years.

REP. LUISTRO. Thirty-six years.

MS. CATALAN. Yes, Your Honor.

REP. LUISTRO. If that money is part of the confidential fund, then, you will be implicated for a possible case of malversation. But if that money is part of the personal money of the Vice President, please understand, that the mere act of receiving money, you, being in the government, already constitute a violation of the law. And this is provided under Anti-Graft and Corrupt Practices Act, Republic Act 3019, paragraph 3 (b), receiving of gifts. The same is true with respect to Republic Act No. 6713, Code of Conduct and Ethical Standards, Section 7, receiving of gifts. And ultimately, PD 46, prohibiting the giving and receiving of gifts to public officials and employees.

I hope you understand that, Ma'am.

MS. CATALAN. Thank you, Your Honor.

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REP. LUISTRO. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. ADIONG. Mr. Chair, yes.

THE CHAIRPERSON. Yes, Congressman Zía.

REP. ADIONG. Just a few...Thank you, Mr. Chair.

Just a few questions I'd like to ask. Maybe I can direct my questions to Atty. Poa.

Apart from your service to the Vice President as a spokesperson, you were once hers Chief of Staff, right?

MR. POA. Yes, Your Honor.

THE CHAIRPERSON. Atty. Poa.

MR. POA. Sorry. Mr. Chair, yes, Your Honor.

REP. ADIONG. You were the Chief of Staff when she was the Secretary of DEPED?

MR. POA. For a time, not...not for the entire duration, Your Honor, but on the latter time. I started April 2023, Your Honor.

REP. ADIONG. Up to when?

MR. POA. Until July 19 when she resigned.

REP. ADIONG. So, a portion of the discussion of the confidential funds when it was brought out in the open, you were then still...

MR. POA. Yes, Your Honor.

REP. ADIONG. ...the Chief of Staff of the Vice President when she was also still the Secretary of DEPED...

MR. POA. Yes, Your Honor...

REP. ADIONG. ...right?

MR. POA. ...Mr. Chair.

REP. ADIONG. You heard about the testimonies of our...of your fellow guests here, right? And they mentioned about the sobre and the gifts and...I'm just wondering, was there any point in time that such "bigayan sobre" was...when it was happening, what...as a Chief of Staff, I presumed, that part of your job is the ins and outs of the Office of the Vice President, any memoranda, *et cetera*. I would just like to know, Mr. Chair, to your knowledge, do you have any or would you know, for example, that such gifts are being given? Let's presume, ano, assuming without conceding that there's, in fact, given, ano, out of the good heart, 'no, was there any point in time that you were made to also understand that this...maybe are regular

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process that the Vice President is really giving out gifts to sobre, to the employees of DEPED?

MR. POA. Mr. Chair.

REP. ADIONG. Where were you when all of these are happening?

MR. POA. Yeah. Mr. Chair, again, I'm under oath. Hindi ko po alam na may ganyang pupunta sa office, binibigyan ng envelope. Perhaps, I need to contextualize and give you an idea of the working relationship back in DEPED then.

In DEPED, I think, anyone who has worked with the Vice President would know that the way she does things, it's highly compartmentalized, 'no. So, for example, I may be in the same office as my ASec, who was then ASec Fajarda. But we had totally separate duties. So, what does that mean? It means that she takes care of the OSEC proper because she was already HEA even before I came in as a Chief of Staff. She was already HEA, 'no.

So, when I came in as a Chief of Staff, the duties that were assigned to me was, basically, the day to day of DEPED. So, meaning, I would hold cluster meetings with the Usecs on a weekly basis. My primary marching order was to deliver on the Matatag Agenda. And, perhaps, looking at it now in a very direct manner, perhaps, that's also why I was never really briefed on how confidential funds were being operationalized, on how...perhaps, that's why, even when I came in as Chief of Staff, I was not made SDO or signatory or anything. The only time I can honestly say that I encountered looking into the reports of confidential funds was when we were already issued an AOM. And at that time, I was also not just Chief of Staff but I was OIC Finance, and so, it was within my purview to address and respond to the AOM.

I know it is very hard to maybe fathom or imagine na "Bakit hindi mo alam itong mga ganito?" But, I think, anyone in DEPED and my DEPED family is here, they would know how compartmentalized we were at that time.

In fact, coming into these congressional hearings and to be very honest with you, Sir, Mr. Chair, kung puwede ko lang sagutin iyong confidential funds, Your Honor, gusto ko na sagutin kasi I've been defending DEPED since day one as the spokesperson in July 2022. So, to be honest, if I could just defend DEPED now, defend the Vice President even, I would, I would. But that's why I came here. When they asked me anything...minsan sabihin pa nga sa akin, "Why did you admit? Why did you..." but that's the truth. And I just want to be here and tell the truth. Ngayon, 'pag hindi ko talaga alam, I would say "Hindi ko talaga alam." And...

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REP. ADIONG. Okay.

MR. POA. Sorry for the long ano. Sorry for the long...

REP. ADIONG. Yes, I'll give you that. I'll give you that.

Let me ask Ms. Catalan. Ms. Catalan when this sobre, when this envelope was given to you, was it...Did you also...was it...were you made also understand that this is done secretly or it's just...magandang ano lang, it's a regular binibigay lang na parang allowance lang, pang-gift lang or may impression ba na "Huwag mong sabihin, sa iyo na muna ito" or ganoon?

MS. CATALAN. Wala po, Your Honor.

REP. ADIONG. So, ibig sabihin, talagang hindi siya sinisekreto?

MS. CATALAN. Basta, Your Honor, ipapatawag ka lang sa office.

REP. ADIONG. Ipapatawag ka sa office. Pero alam mo na hindi lang ikaw iyong nakakatanggap?

MS. CATALAN. I'm not aware, Your Honor.

REP. ADIONG. But you are aware that they are also others who may also be receiving the same allowances as you may call it?

MS. CATALAN. Siguro nasa isip ko lang na I'm not the only one, pero I didn't bother to know kung sino pa or I didn't...because I was not...Discreet lang siya.

REP. ADIONG. So, discreet siya?

MS. CATALAN. Opo, Your Honor.

REP. ADIONG. So, ibig sabihin, there was never any instance where ka-close mo sa opisina nagsabi rin na "Uy, naka-receive din ako ng the same ano."

MS. CATALAN. Wala po, Your Honor.

REP. ADIONG. So, it was done secretly? Would you say so?

MS. CATALAN. Secret...Ay, discreet nga lang po siguro kasi wala akong alam, Your Honor.

REP. ADIONG. Okay, sige. So, ibig sabihin, Mr. Chair, I'd like to again follow up your question. Gusto ko lang malaman, 'no. So, you said that you've been...your task really is being compartmentalized, that you have never any ano, any way of knowing that this ano. Is that what you are trying to make this Committee understand that as a Chief of Staff, there was never any moment or any, like, for example, any instance where there was really that information or knowledge? Kasi taking from the explanation of Ms. Catalan, allowance ito, it's not something irregular, parang ganoon iyong pagkaintindi niya, eh. Hindi naman siya dapat sekreto or ano although, discreetly binibigay sa kanya ang ano. Pero ang understanding niya is

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galing pala sa personal money ni Vice President, so hindi dapat siya isekreto. So, are you telling this Committee that in your...in the span of your tenure as a Chief of Staff, you have never heard anybody or, at least, with your co-workers saying that there's an allowance from the good heart of the Vice President giving out for these employees...

(MS. THELMA M. RETUBA TOOK OVER)

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REP. ADIONG. (Continuing)...employees?

MR. POA. Mr. Chair, if there...

THE CHAIRPERSON. Please continue.

MR. POA. If there was an instance, Your Honor, that I would say, maybe pumasok sa utak ko na may nabigyan, it was probably noong 2022 December because it was meant to be para ngang Christmas ano, 'no...

REP. ADIONG. Yeah, but that's already ano...

MR. POA. Oo. Yes.

REP. ADIONG. Sabi ni Ms. Catalan it's not regular bonuses...

MR. POA. Oo.

REP. ADIONG. ...but we're talking about this ano...

MR. POA. But throughout the envelopes, I can honestly say walang ibang Usec or...Ms. Rhunna, I can honestly say I just found out today also. So, walang ganyang usapan, eh. Hindi nagkakaroon ng...walang lumapit sa akin na nagtanong man lang kung ako ba may natanggap or them narrating to me na sila may natanggap sila. To be perfectly honest with you, wala talaga akong narinig.

REP. ADIONG. As a Chief of Staff, it's...to me, ha, as a Chief of Staff, because you're appointed as a Chief, so ibig sabihin trust and confidence is everything, 'di ba, kasi ikaw...before it reaches your principal, everything should be coursed through as a Chief of Staff through you. For me, personally, Mr. Chair, I find it very hard to understand...although I'm not trying to debunk your statement here, Atty. Poa, but to me we all are government employees and we know how the administrative processes have been going. So, it's for me personally, I think it's kind of difficult for me for you not to be able to understand, at least have a grasp on what is happening inside your office, knowing that you are not only the Chief of Staff, but you're also the spokesperson for the Department of Education, Mr. Chair.

And though you may not know, but a lot of your co-workers in the Department, co-employees in the Department, have all came out saying the same thing. But if we use the same argument or the statement of Ms. Catalan na discreet ipinamimigay, ilan iyong lumabas na? Ibig sabihin, kung...apat na ba sila, Mr. Chair, o lima?

THE CHAIRPERSON. Apat.

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REP. ADIONG. Apat iyong lumabas, the same testimony, saying that they have received envelopes. Ibig sabihin, kung discreetly, kung the same manner of releasing, ibig sabihin, there's no way for them to really make up some stories, but they came out with the same narrative and the same stories.

Iyon lang iyong gusto kong ipaintindi, 'no, Mr. Chair. Do you have a...what's your thought on that?

MR. POA. Mr. Chair, may I respond.

I respect your view, Sir. Like I mentioned earlier, Mr. Chair, and Honorable Congressman, if I were in your shoes, I would also find it hard to believe, hindi ba? And that's why I had to put it in context, 'no. I did not know the Vice President until the day I was hired as her spokesperson in July. I wasn't with her prior, so perhaps there are things that...that's why I said it was compartmentalized. Perhaps there were things that are not shared with everyone, are not shared with me, are shared with me but are not shared with others either. Perhaps that's the only way I can even fathom it, 'no. But, definitely, operationally which means policy, which means whatever happens in DEPED, I can honestly say that really goes through me.

But on why they are naming ASec Sunshine as the one giving the envelope, I really do not know. And even if you were to ask me now, I wouldn't even dare ask...

REP. ADIONG. What's the task of Atty. Sunshine pala, if I may ask?

MR. POA. As far as I know, she was the Head EA even before I joined DEPED, Your Honor. So, in fact, she was the one who interviewed me when I applied for DEPED. And then my last interview was the Vice President and that was the day that I met the Vice President for the first time when I was offered the job of spokesperson. And I remained to be a spokesperson from July 2022 to around April 2023.

So, just to give you a background on all these because I can definitely understand, Your Honor, the sentiments of the good Congressman on parang medyo weird, 'no, "Chief of Staff ka bakit hindi mo alam ang lahat ng nangyayari?" In fact, it's a bit embarrassing for me to also admit na hindi ko alam lahat ng nangyayari. But it's really the way it is, things are compartmentalized even from day one.

So, even, as spokesperson, when may balita and I need to get to an interview, honestly, I have to message, 'no, with the Vice President that time to find

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out, every time on what she wants me to say during the interview, at least just to give you a picture, Your Honor, on how it was.

REP. ADIONG. Okay. Thank you.

Just, I guess, a manifestation and closing, Mr. Chair. Narinig naman natin ilan iyong lumabas na po dito sa Komite na the same iyong kanilang sinabi na naka receive po sila ng envelopes, 'no, at hindi ho nila ma-explain kung saan nanggagaling itong mga envelopes na ito. May iba sinasabi "gift", may isa sinasabi "it's a form of persuasion", for whatever they call it, it's something irregular. It does not happen regularly, 'no.

Pangalawa, iyong apat na po, kung tatanungin...sa katanungan...sa kasagutan po ni Ms. Catalan, ang sabi po niya, tinatawagan po sila individually, ibinibigay sa kanila. I think the same story also we've heard from the rest of our invitees who said also the same thing. Ibig sabihin po, hindi ho sila...hindi nila pinag-uusapan...itong apat na ito, hindi nila napag-uusapan. Meaning to say, they have done...individually na ibinibigay sa kanila. So, it's impossible for these individuals who came out saying the same thing to make up stories at pare-pareho po ang kanilang sinasabi.

Ang point ko lang po dito, Mr. Chair, is if it's done discreetly, secretly, there's something really...the act really in the giving out of these sobres must be really in question, Mr. Chair.

Iyon lang po ang aking manifestation, Mr. Chair, at marami pong salamat. Thank you, Atty. Poa, for giving us a background.

REP. ACOP. Mr. Chair.

MR. POA. Thank you, Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Acop, you're recognized.

REP. ACOP. I would just like to follow up the question of the Honorable Adiong.

Usec Poa, ang sabi po ninyo hindi kayo nakatanggap ng envelope. Did I hear it right?

MR. POA. Mr. Chair, nakatanggap po ako, pero hindi envelope mula kay VP mismo, occasionally. And I can try to cite the occasions, if you would want me to...

REP. ACOP. Yeah, iyong envelope kagaya ni Madam Catalan.

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MR. POA. I was never called to ASec Shine's office, for the record, to receive an envelope. I don't know why, to be honest.

REP. ACOP. Thank you.

ASec Munsayac, have you received also an envelope just like Madam Catalan.

MR. REYNOLD S. MUNSAYAC (Assistant Secretary for Procurement, Department of Education). Good afternoon, Mr. Chair, and Your Honor.

THE CHAIRPERSON. Mr. Munsayac, you are recognized.

MR. MUNSAYAC. May I answer, Your Honor.

THE CHAIRPERSON. Yes, please.

MR. MUNSAYAC. Your Honor, I never received any envelope from ASec Shine Fajarda or the Vice President. Never, Your Honor.

And if you will recall the testimonies of the persons who supposedly admitted that they received envelopes, they started receiving February and it ended September 2023. I only joined DEPED in October 2023, Your Honor.

Thank you, Your Honor.

REP. ACOP. Thank you.

Usec Escobedo, the same question.

THE CHAIRPERSON. Usec Escobedo, you are recognized.

MR. ESCOBEDO. Mr. Chair, Your Honors, hindi po ako nakatanggap, but during birthday, binigyan lang po ako ng isang cash lang po for my birthday and Christmas.

REP. ACOP. Thank you. How about Usec Mempin?

THE CHAIRPERSON. Usec Mempin?

MR. MEMPIN. No, Sir.

REP. ACOP. No.

MR. MEMPIN. No, Sir.

REP. ACOP. Now, Madam Catalan, what makes you special or what do you have that you would merit a 25,000 envelope...contained in an envelope? Ano po'ng mayroon po kayo?

THE CHAIRPERSON. Ms. Catalan, you are recognized.

MS. CATALAN. Hindi ko po masagot, Your Honor.

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REP. ACOP. Kasi iyong mga matataas sa inyo, ang testimony nila, hindi po sila nakakatanggap. Pero here you are, the head of the accountant division, nakatanggap po kayo. Ano po ang mayroon kayo that would merit na bigyan po kayo ng envelope ni Vice President?

MS. CATALAN. Your Honor, iyong sinabi lang po sa akin ni ASec Shine is that a form of gratitude.

REP. ACOP. What did you do something...what did you do that would merit iyong kuwan na iyon na maging...magpapasalamat sa iyo si Madam Fajarda or the Vice President? Ano po iyong ginawa ninyo?

MS. CATALAN. Maybe we're just doing our job in the Accounting Division, so maybe they were just very...

REP. ACOP. Naniniwala po ba kayo na sobre at pera ang award ng isang empleyado na efficient sa pagtrabaho po niya?

MS. CATALAN. Maybe, Your Honor.

REP. ACOP. Ha? When you say...

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REP. ACOP. (Continuing)...When you say "maybe," it is being done in the Department? Ganoon po ba?

MS. CATALAN. No, Your Honor, kasi I cannot say that.

REP. ACOP. O, kaya nga. Ano'ng mayroon ka na ganoon ang kuwan sa iyo?

MS. CATALAN. I'm sorry, Your Honor, hindi ko po masasagot kung ano ba'ng mayroon.

REP. ACOP. Kasi, ako, ang tingin ko, dahil ikaw ang head ng Accounting Division, kagaya ng maging head ng budget o mga head ng treasurer. It is your position kasi iyong liquidation at saka clearing dumadaan palagi sa inyo, eh, sa inyong mga opisina, 'di ba? At, no matter how you look at it, marami pong kalokohan sa liquidation at saka use of funds. Hindi po ba?

MS. CATALAN. Iyong regular transaction, we ensure na lahat po ng liq...lahat po ng disbursement is duly supported by documentary requirements. But, again, the confidential fund is quite different and the first time that we have in the Department.

REP. ACOP. Whether it's confidential or regular funds, may mga kalokohan sa liquidation. Would you agree? Kasi ang daming kaso sa Ombudsman na ganyan, eh, so it's happening.

MS. CATALAN. Your Honor, but in DEPED, basta regular transaction po, we ensure na lahat po ng transactions or disbursements are duly supported with supporting documents and these are subject to post-audit naman po.

REP. ACOP. Hindi natin...I would ask you questions regarding the regular fund saka sa procurement but it's not the issue of the day. Ang issue kasi ngayon is the use of confidential funds. I would like to ask you that also. Pero ako, from my experience, nakikita ko na iyong mga ganyan na puwesto, iyon po iyong nareregaluhan ng sobre, eh, either by the heads of office or those who transact business with your office. Kasi the Ombudsman cases would show that na nangyayari talaga. Hindi po ba kayo naniniwala roon?

MS. CATALAN. Naniniwala po, Your Honor.

REP. ACOP. Thank you. Thank you, Mr. Chair.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Congressman Abante.

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REP. ABANTE. Ms. Catalan, you have been in the DEPED for 30 years, correct?

MS. CATALAN. Thir...ah, Your Honor, 36 years.

REP. ABANTE. How many Cabinet secretaries have you been in?

MS. CATALAN. I cannot remember but the first Cabinet Secretary was Secretary Quisumbing.

REP. ABANTE. Were you even given envelopes during those times on different secretaries, Ms. Catalan?

MS. CATALAN. Your Honor, as I've mentioned earlier, there was no giving of envelopes in all these years except in 2023.

REP. ABANTE. So, therefore, only when the Vice President was the Secretary of DEPED.

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. Okay. You've got to realize that those nine envelopes have a total amount of 225,000. Am I right?

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. Okay. Attorney Poa, do you remember receiving an envelope that has about 200,000 in it?

MR. POA. Mr. Chair, Your Honor, no. The simple answer is no. The biggest, if I need to share...

REP. ABANTE. Yeah, go ahead.

MR. POA. Probably, when one time nakuwento ko nga na nag-reimburse ako because I'm with the media party, 'no, for...you know, just to host the media for Christmas, I was given around 20 to 25 at that time which was, well, to be candid, lower pa than what I made abono, but who are we to ano, 'di ba? So, but...never...definitely, not 200, not 100,000, not 50,000.

REP. ABANTE. O, Ms. Catalan, he was an Undersecretary of DEPED, the spokesperson of the Vice President, yet he has not even received, you know, that amount of money during his time. I would even guess that Usec Escobedo and Usec Mempin who have received gifts, 'no, during your birthdays and Christmas, for example, you have not received that much? Have you?

MR. MEMPIN. No, Your Honor, Mr. Chair.

REP. ABANTE. No. Usec Escobedo?

MR. ESCOBEDO. No, Your Honor.

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REP. ABANTE. So, hindi po ba kayo nakakahalata na, Ms. Catalan, na napakalaki nang natanggap ninyo for, you know, those nine envelopes, more than all of these Usecs here that have a higher position than you have?

MS. CATALAN. No, Your Honor, kasi I do not have any information or I'm not aware that nakakatanggap or sino iyong nakakatanggap at hindi.

REP. ABANTE. Yeah, but you are aware of the law. You are aware of Republic Act...ano iyon?

REP. ACOP. 3019.

REP. ABANTE. Oo, 3019, which is actually...teka, nandito sa akin, eh. Republic Act 3019—Anti-Graft and Corrupt Practices, you are aware of that, isn't it? You know that, isn't it? Alam ninyo iyon?

MS. CATALAN. Yes, Your Honor.

REP. ABANTE. O, gayon pala naman, eh. So, I mean, dapat nakikita na natin ngayon iyan kung papaano. That's the reason why I am asking you na I would even guess that those envelopes, those envelopes you received were a form of pressure on your part to sign. Iyon lang po, Mr. Chair.

THE ACTING COMMITTEE SECRETARY. Your Honor, I would like to welcome to our hearing, Honorable Charisse Anne C. Hernandez, Representative of the Lone District of Calamba City. Thank you, Ma'am, for attending.

THE CHAIRPERSON. Thank you. Yes, Congressman Mika.

REP. M. A. B. SUANSING. Mr. Chair, just a quick follow-up for my interpellation earlier. I just wanted to ask COA once again.

You mentioned that there was an AOM that has already been issued for the regular funds for 2023. Please correct me if I'm wrong but I believe the AOM is issued on a quarterly basis when applicable. So, apart from the AOM that you mentioned a while ago pertaining to the welfare goods under supplies and materials, are there other AOMs that have been issued since 2022 pertaining to regular funds of the OVP?

THE CHAIRPERSON. Mr. Tomawis...

MR. TOMAWIS. Yes. Apart...Mr. Chair.

THE CHAIRPERSON. ...you're recognized.

MR. TOMAWIS. Mr. Chair, apart from the two AOMs I mentioned for the welfare goods expenses and the Pagbabago Campaign, we have other AOMs po, other deficiencies noted during our audit period.

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REP. M. A. B. SUANSING. Mr. Chair, if I may request, Mr. Chair, for the Committee to request a copy of those AOMs. I believe, since we are talking about regular funds here, we no longer need to ask for a subpoena or issue a subpoena *duces tecum* as this pertains to regular funds, Mr. Chair.

MR. TOMAWIS. May I be recognized, Mr. Chair?

THE CHAIRPERSON. Ano po? Pakilakas lang po.

MR. TOMAWIS. I-clarify ko lang po kung anong period or anong audit period, for CY 2023, 2022?

REP. M. A. B. SUANSING. Mr. Chair, if I may ask, Fiscal Year 2022, Fiscal Year 2023, from the first...sorry, from the third and fourth quarter of 2023... ah, '22 and, however, many quarters you've already audited for Fiscal Year 2023. Kasi hanggang...what was the last quarter po that you audited?

MR. TOMAWIS. Year po, Mr. Chair. The last year po is 2023.

REP. M. A. B. SUANSING. So, full year.

THE CHAIRPERSON. Okay.

REP. M. A. B. SUANSING. Kasi po the AOMs that we saw on the confidential funds were on a quarterly basis, eh. So, 'pag regular fund po one...per year lang siya?

MR. TOMAWIS. Continuous lang po siya and every time na may makita kaming deficiencies, we communicate it, we communicate the results of our audit during the year po.

REP. M. A. B. SUANSING. If that's the case, Mr. Chair, may I please request for all AOMs issued by the Commission on Audit with regard to regular funds of the Office of the Vice President from Fiscal Year 2022, 2021, and 2023, Mr. Chair.

THE CHAIRPERSON. COA, please take note of the manifestation of Congresswoman Mika Suansing.

MR. TOMAWIS. Yes, Mr. Chair, noted po.

THE CHAIRPERSON. Yes. Mayroon pa po bang concern?

REP. M. A. B. SUANSING. Mr. Chair.

THE CHAIRPERSON. Yes. Please continue.

REP. M. A. B. SUANSING. Follow up lang po. Mr. Chair, kanina lang po I was thinking...

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REP. M. A. B. SUANSING. (Continuing)...I was thinking about the response of COA to one of the questions pertaining to the welfare goods. Kasi po you mentioned in the AOM that was issued for the welfare goods, the main deficiency that was found there was there was a lack of a distribution list. May you please confirm that, Mr. Chair, on the part of COA.

MR. TOMAWIS. I...i-broaden ko lang...ko lang po na ang deficiencies are pertaining to the gaps on the existing guidelines on the distribution of welfare goods po, not on the distribution list *per se*.

REP. M. A. B. SUANSING. Mr. Chair, may you please enlight...may we please ask COA to enlighten us, what does it mean to be non-compliant with the guidelines with regard to distributions. Because it's, for me, it's a little bit alarming, say, if there are two different things—if you talk about non-compliance with distribution guidelines, you can either be talking about non-compliance with internal controls, which you mentioned are receipts, distribution lists, *et cetera*; but, on the other hand, there could also be deficiencies around supplying names of actual beneficiaries. In which case, it is no longer an internal control issue, but rather a utilization issue and accountability issue.

So, I just wanted, Mr. Chair, for COA to enlighten us kung ano po iyong deficiencies nila when they say it's non-compliance with distribution policies, Mr. Chair.

MR. TOMAWIS. If I may allow po to read na lang po iyong nasa report po namin.

THE CHAIRPERSON. Please do so.

MR. TOMAWIS. So, in the review of welfare goods expenses amounting to 176 million for CY 2023, it revealed that due to gaps in the guidelines and procedures provided in the Office Order No. 2023-21 dated October 13, 2023, the guidelines on the receipt on distribution of welfare and control measures, various deficiencies in the distribution of welfare goods were noted.

Then, ito...ito po iyong mga deficiencies: first is the following documents needed to support the distribution of welfare goods were not required by the agency to be submitted.

Then, next. They are delayed in preparation of financial...

REP. ABANTE. Mr. Chair, mahaba pa ba iyan? You can just submit that to us.

MR. TOMAWIS. Medyo mahaba po, Mr. Chair.

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REP. M. A. B. SUANSING. Mr. Chair, I already caught what I wanted to hear, actually, and...which I hope...ay, which I actually hope not to hear which was hindi...hindi nag-request iyong agency ng documentation with regard to distribution. Tama po ba? Kasi ang ibig sabihin po noon, walang patunay na na-distribute po iyong mga welfare goods. Iyon po iyong pagkakaintindi ko doon po sa sinabi ninyo.

MR. TOMAWIS. Bale po doon sa...Mr. Chair, iyon pong guidelines po sa existing guidelines po nila, hindi po nakalagay doon na kailangang i-submit itong mga documents na ito. So, well, in fact, kaya po namin nire-recommend na kailangan pong i-include or i-improve po iyong guidelines na i-include ito sa isa-submit sa amin, to...to suffice po iyong distribution of welfare goods.

REP. M. A. B. SUANSING. So, Mr. Chair, ibig sabihin po ba nito, iyong 176 million pesos na goods, welfare goods, mga relief goods, mga...wala pong documentation kung sino ang nakatanggap at kung may nakatanggap ba talaga nitong mga distribution...distributed goods na ito?

MR. TOMAWIS. Mr. Chair, hindi po lahat iyong 176. That's the amount recorded na...recorded expenses for welfare goods. But then, there is some amounts po doon na may mga kulang or may mga deficiencies iyong documents. But then, the rest, mostly, have distribution list po. So, itong mga na-mention po namin dito sa report, nakalagay po dito is "some", hindi po lahat noong 176. Because we also...

REP. M. A. B. SUANSING. Mr. Chair...

MR. TOMAWIS. ...we also...to manifest na hindi po kami 100 percent audit. So, we...we audit on a sampling basis. So, as much as we want to audit all of these, since may...mayroon kaming lack of manpower, so we...or due to the time constraint din po, because for the information of everybody, we just assumed the office po last March 2024. So, we have, from March 2024 to...up to May para po i-audit iyong mga transactions ni OVP.

REP. M. A. B. SUANSING. Pero, Mr. Chair, ang pagkakaintindi ko po sa audit, ha, you do random audits to check if there are certain areas or categories that need to be...that...that have deficiencies. And once you catch a deficiency, magdi-deep dive ka doon sa area na iyon, eh. So, halimbawa, 176 million pesos iyong pinag-uusapan natin sa welfare goods. May nakita na kayong findings na may deficiencies. Nagra-random sampling pa lang din kayo? Hindi ninyo tinitingnan na sa 176 million na ito, ilan dito iyong may deficiency? Medyo malaking amount po ito, Mr. Chair, kaya I am pressing COA on this. Kasi paano po kung, halimbawa, out of the 176

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million, sabihin ninyo na "some", sabihin natin less than 50 percent, that's still 70 million pesos, which is a substantial amount. Kaya po nagpe-press ako na sana po huwag ninyo nang sabihin na mayroong "some deficiencies", na "some" lang iyong hindi ninyo alam kung may nakatanggap ba kasi medyo malaki po itong halagang pinag-uusapan natin, Mr. Chair. Kailangan nating siguraduhin na iyong welfare goods na ito ay nakarating sa mga tao, may nakatanggap. Kaya pag sinabi ninyo po sa amin na walang patunay na may nakatanggap, medyo nakakaalarma po sa amin ito, Mr. Chair.

MR. TOMAWIS. If I may clarify po.

THE CHAIRPERSON. Please clarify.

MR. TOMAWIS. Ang sinasabi po noong audit po namin or audit result, there are deficiencies on the existing guidelines. So, may mga lapses po or weaknesses na kailangan pong i-address. So, doon sa 176...

REP. M. A. B. SUANSING. Sandali lang po ha. May deficiency sa guidelines, at isa sa mga deficiencies ay hindi nagre-require iyong agency ng documentation. In effect, as a result, may mga distribution na walang documentation. Kaya po ang bottom line dito, Mr. Chair, may mga distribution na walang patunay.

MR. TOMAWIS. Kung titingnan po natin sa report po, may mga transactions or distributions na wala pong distribution list...

REP. M. A. B. SUANSING. Ilan po iyon?

MR. TOMAWIS. ...but then not the 176 million as a whole.

REP. M. A. B. SUANSING. Naiintindihan ko po iyon. Paulit-ulit po tayo. Naiintindihan ko na hindi iyong buong 176 million iyong walang documentation. Pero ilan pong porsiyento noong 176 million ang walang patunay? Kasi po sabihin natin kahit 25 percent na lang iyong pag-usapan natin, malaki pa rin iyon.

MR. TOMAWIS. For the documentation or incomplete documentation, we have...part of the audit report po iyong nandito. First is iyong na-mention po noong last time na hearing na pinresent *(present)* po ni...ni Congressman Luistro, wherein may mga lacking documents po, for example, iyong post-activity report, acknowledgment receipt wherein...

REP. M. A. B. SUANSING. Mayroon po ba...sorry po, ah. In the interest of time, magkano po pag...pag isu-*suma total* mo...

MR. TOMAWIS. So...

REP. M. A. B. SUANSING. ...lahat noong mga may deficiencies?

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MR. TOMAWIS. So, nasa…mayroon pong 62 million; may 218 thousand 460; 434 thousand and 557. But then, as to the post-activity report, the head of the agency or the management of the OVP has…has submitted their comment that these documents were attached on the…on the liquidation of the cash advances ng mga satellite offices. Hindi lang po nai-attach doon sa liquidation or doon sa liquidation…distribution noong welfare goods.

So, as of now po, kaya po nilagay namin or sinasabi po namin na nandoon pa rin naman po iyong…as…as to validation, na-validate din po namin iyong doon sa mga nandoon sa other attachments; hindi lang po siya na-attach. So, that's why, one of the recommendations po doon sa AOM po namin is to revisit iyong existing guidelines and then, mas paigtingin iyong mga controls para po iyong mga…mga kulang-kulang na documents…Hindi kasi sinasabing kulang talaga, 'no, o walang documents, eh. May mga documents naman po for the distribution list. There's just weaknesses on the controls or lapses on the submitted documents po sa amin.

REP. M. A. B. SUANSING. Mr. Chair, ganito po. I recognize COA's effort to address the gaps in the guidelines. Pero we also have to be cognizant of the 62 million pesos that is already in question na mayroong deficiencies.

So, Mr. Chair, I would like to ask COA, by the next hearing po, to please give us a definitive answer. How many…How much of this 62 million has been cleared up doon po sa mga attachments? Kasi baka naman majority pa rin, hindi pa rin accounted for.

MR. TOMAWIS. Then for…for information din po, Mr. Chair, iyong sa 62 million, ang lacking documents po is post-activity report, which is a secondary document…

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MR. TOMAWIS. (Continuing)...secondary document lang po. But then, iyong mga distribution list po niya, mayroon po iyon, Ma'am, Mr. Chair.

REP. M. A. B. SUANSING. Mr. Chair, siguro po kailangan natin po ng kopya ng liquidation report, lalo na po dito sa welfare goods na ito. Actually, supplies and expenses to be...to supplies and materials expenses kasi iyon po iyong, I believe, roughly 40 percent of the whole OVP budget, if I am not mistaken, kasi po 400 million for 2025 po iyong proposal nila. So, iyon lang, Mr. Chair. We just want to make sure that there is a difference kasi between internal control deficiencies and utilization issues...liquidation issues. Kaya iyon lang po, Mr. Chair.

If I may request for those two documents, all the AOMs issued by COA for the regular funds of the Office of the Vice President for Fiscal Year 2022 and 2023 at saka po ito pong mga liquidation, ito pong mga items in question with regards to the welfare goods, Mr. Chair.

Thank you very much, Mr. Chair. Thank you very much, COA.

REP. ABANTE. Mr. Chair.

THE CHAIRPERSON. Thank you.

Yes, Congressman Abante.

REP. ABANTE. If you remember, COA, we have asked that question before, iyong liquation report na iyan, 'di ba? So, ang request na lang namin siguro, paki fast track dahil mamaya makatanggap na naman kayo ng envelope.

MS. GEMORA. May I be recognized, Your Honor.

THE CHAIRPERSON. Yes, Ma'am Gemora, you are recognized.

MS. GEMORA. Your Honor, Mr. Chair, we need clarification. Do we have to wait for the subpoena or request from the Committee to submit those documents that were just requested by the Honorable Congresswoman Suansing?

REP. M. A. B. SUANSING. Mr. Chair, if I may be recognized.

THE CHAIRPERSON. Yes, Congresswoman Suansing.

REP. M. A. B. SUANSING. Mr. Chair, since we're talking about regular funds here, I believe we don't...this doesn't...this request doesn't necessitate the issuance of a subpoena anymore. Kasi, from what I understand, a subpoena *duces tecum* is required if we're asking for pertinent documents relating to confidential funds. But since we're talking about regular funds here, I...like ComSec and I had this conversation a while ago, we do no longer need the subpoena, right?

THE ACTING COMMITTEE SECRETARY. I confirm, Your Honor. I confirm, Your Honor.

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MS. GEMORA. But we can request for a request or is this...this forum is... for further approval of the Chair. We'll just represent to our Chair that there's a request from the Committee or we will wait for the formal request from this Committee?

REP. ABANTE. Formal request, Mr. Chair, kailangan niyo ba iyon?

MS. GEMORA. Yes, Sir, Your Honor. We will...

REP. ABANTE. Well, this is already...this is already put on record. This is already put on record, so there should not be anymore formal request. You just have to submit that to us.

MS. GEMORA. Okay, Your Honor, Mr. Chair, we will just verbally communicate with our Chair for the approval of the honorable Chair of the Commission on Audit.

THE CHAIRPERSON. We will just draft a letter-request for purposes of compliance. Will that suffice?

MS. GEMORA. Yes, Your Honor.

THE CHAIRPERSON. Okay.

MS. GEMORA. Thank you very much.

THE CHAIRPERSON. Thank you po.

Kung wala na po tayong mga concern, are there...mayroon pa po bang ibang matters that we're going to discuss?

REP. ABANTE. Mr. Chair.

THE ACTING COMMITTEE SECRETARY. Your Honor. Ay, sorry.

THE CHAIRPERSON. Yes, Congressman Abante.

REP. ABANTE. Motion to suspend.

REP. ADIONG. Second.

REP. LUISTRO. Second, Mr. Chair.

THE CHAIRPERSON. There is a motion to suspend, duly seconded. Is there any objection? Hearing none, the Committee hearing of the Committee on Government and Public Accountability is hereby suspended.

The meeting was suspended at 5:32 p.m.

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CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

FLORISA M. PADA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

KRISSA MAE S. SALDEVAR
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

JOY S. JARA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

THELMA M. RETUBA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

Aida P. Molinyawe
AIDA P. MOLINYAWE
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ANNEX "O"

HOUSE OF REPRESENTATIVES
LIRMD - LAMG
RECEIVED
Name:
Date and Time: 1/23/25 10:22 AM

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

COMMITTEE ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY

DATE : 20 November 2024

TIME : 10:00 A.M.

VENUE : 2nd Floor, People's Center Building
House of Representatives
Batasan Hills, Quezon City

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Marivic M. Pareja
Service Director
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REP. JOEL R. CHUA - **CHAIRPERSON**

ATTY. SHERYL CHRISTINE V. LAGROSAS - ACTING COMMITTEE SECRETARY

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The meeting was called to order at 10:18 a.m.

THE CHAIRPERSON. The Committee hearing of the Committee on Good Government and Public Accountability is now called to order.

Let us all stand up for the invocation to be led by the Honorable Jojo Lara.

REP. JOSEPH "JOJO" L. LARA. Let us put ourselves in the presence of the Lord.

In the name of the Father, of the Son, of the Holy Spirit. Amen.

Heavenly Father, we come before You today with humble hearts as we begin this congressional investigation. We ask for Your guidance and wisdom as we seek the truth and uphold the values of transparency, justice, and accountability in governance. Bless each Member of this Committee with clarity of mind and integrity of spirit and a sincere dedication to the common good. Grant us the courage to ask the right questions, the patience to listen with discernment, and the wisdom to act in ways that honor the trust of the people we serve.

Lord, we lift up to You our nation and all those who are affected by the deliberations that we will hold today. May this hearing be a step towards restoring confidence to public institutions and ensuring that governance remains a tool for the welfare and progress of all. Guide us, O Lord, so that in all we do, Your will be done and Your justice be reflected in all our actions. For Yours is the kingdom, the power, and the glory, now and forever.

VOICE. Amen.

REP. LARA. In the name of the Father, the Son, and the Holy Spirit. Amen.

THE CHAIRPERSON. Please remain standing for the singing of the national anthem.

Singing/Playing of the Philippine national anthem

THE CHAIRPERSON. Puwede na po tayong umupo.

Let us proceed now to the calling of the roll. Do I hear a motion to dispense with the calling of the roll?

REP. ROMEO M. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. May I respectfully move that we dispense with the calling of the roll. So moved, Mr. Chair.

THE CHAIRPERSON. Is there a second to the motion?

REP. BIENVENIDO M. ABANTE, JR. Second.

REP. DAVID "JAY-JAY" C. SUAREZ. Second.

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THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

Madam Secre...Madam ComSec, would you please acknowledge all the Members present, as well as recognize all the witnesses and guests or resource persons?

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

We welcome to this Committee hearing the following House Members: Honorable Bienvenido M. Abante Jr., Senior Vice Chairperson from the 6th District of Manila; Honorable Vice Chairperson Romeo M. Acop from the 2nd District of Antipolo City; Honorable Jefferson F. Khonghun, Vice Chairperson from the 1st District of Zambales; Honorable Joseph "Jojo" L. Lara from the 3rd District of Cagayan; Honorable Zia Alonto Adiong from the 1st District of Lanao del Sur; Honorable Jonathan Keith T. Flores from the 2nd District of Bukidnon; Honorable Ramon Rodrigo L. Gutierrez from 1-Rider Party List; Honorable Raoul Danniel A. Manuel from KABATAAN Party List; Deputy Majority Leader Honorable Jude A. Acidre from TINGOG Party List; Honorable David "Jay-Jay" C. Suarez, Deputy Speaker from the 2nd District of Quezon; Honorable Gerville "Jinky Bitrics" B. Luistro from the 2nd District of Batangas; Honorable Joseph Stephen "Caraps" S. Paduano from ABANG LINGKOD Party List; Honorable Raul Angelo "Jil" D. Bongalon from AKO BICOL Party List; and Honorable Amparo Maria J. Zamora from the 2nd District of Taguig City. Welcome, Your Honors.

Moving on to the resource persons who are present today. From the Office of the Vice President, we have with us Atty. Zuleika "Leika" T. Lopez, the Chief of Staff; Ms. Winnie G. Dayego, Chief of the Public Assistance Division; Atty. Rosalynne L. Sanchez, Director for Administrative and Financial Services; Mr. Chris G. Sorongon, Lead Satellite, Panay and Negros Islands Satellite Office—Thank you, Your Honor. Thank you, Sir; Ms. Regina Rosa D. Tecson from the Davao Satellite Office—Ma'am. Alright. Thank you; Ms. Julieta Villadelrey, Chief Accountant; Mr. Kelvin Gerome L. Teñido from... the Chief Administrative Officer; and Ms. Ma. Edelyn A. Rabago, Budget Division—Thank you.

For the Commission on Audit, we have Atty. Gloria A. Camora, Attorney V for the ICFAO; we have Ms. Xylene Mae L. del Campo, State Auditor, ICFAO; Mr. Fahad Bin Abdulmalik Tomawis, State Auditor for NGAS, OVP; Ms. Zara Jane Fegalan, State Auditor; Ms. Imelda G. Celso, Supervising Auditor; we have Atty. Douglas Mallillin, Director IV, COA, ICFAO—Sir; we have Ms. Melinda S. Torio, State Auditor V; Ms.

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Norma E. Aquino, Director III, NGAS - Cluster 5 for Education and Employment; and Ms. Cecilia G. Rañeses, Director III for NGAS - Cluster 1.

We have from the Department of Budget and Management, Mr. Rolando U. Toledo, Undersecretary—Sir, thank you for coming; Ms. Rosario S. Nunez, Division Head; Ms. April Ann R. De Los Trinos, Acting Service BMS; Director Vivien L. Labastilla, Director IV for Budget Management Bureau - F; and Assistant Director Joanna Victoria N. Galarpe, Director III for Budget and Management Bureau - F.

We have from the Bureau of Treasury, Atty. Jerekko A. Cadoma, OIC, Complaints and Division...and Investigation Division; we have Ms. Concepcion Austria, OIC Director, as well, Regional Office.

Moving back to the Department of Management, we have Ms. Mary Anne Z. dela Vega, Assistant Secretary; Director Elena Regina S. Brillantes, BMB-C; Atty. Sarah Jane C. Abuel, Legal Service; Mr. Christine Love A. Morales, BMS II; Mr. Johnry Castillo, Chief, BMS.

From DEPED, we have Ms. Cilette L. Co, Assistant Secretary; we have Undersecretary for Administration, Atty. Mel John L. Verzosa; Undersecretary for Procurement, Mr. Gerard L. Chan; former Undersecretary, Major General Nolasco A. Mempin; former... Pardon. Assistant Secretary Brigadier General Noel Baluyan; former Assistant Secretary for Procurement, Atty. Reynold Munsayac; and Chief Administrative Officer of Procurement Planning and Management Division, Ms. Maria Teresa Fulgar.

If there are any resource persons or witnesses that we have not acknowledged... Pardon me, Your Honor. Additional for the Office of the Vice President, Mr. Norman B. Baloro, Director for Operations Office. If there are any other resource persons I have failed to recognize, please approach the mic. Atty. Michael Wesley Poa, former Spokesperson of the DEPED, Your Honor.

Thank you, Your Honor.

THE CHAIRPERSON. Okay na, ComSec?

We will now proceed to the next item in our agenda, the approval of the minutes of the previous meetings. Do I hear a... We have here the minutes of the November 5, 2024 meeting. Do I hear a motion?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. May I respectfully move that we dispense with the reading of the minutes conducted last November 5 and consider it as approved. So moved, Mr. Chair.

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THE CHAIRPERSON. Is there any second?

REP. ZIA ALONTO ADIONG. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

Magandang umaga po sa lahat. Today, we continue our pursuit...

(MR. JEFFREY C. OVILLA TOOK OVER)

jm

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THE CHAIRPERSON. (Continuing)...our pursuit of the truth in our attempts to make sense of the way which hundreds of millions of public funds were used.

We are fortunate today to have received letters from some officials from the Office of the Vice President who have committed to finally appear, and sana ay matulungan nila kami sa aming patuloy na pag-unawa sa mga issue na ito.

To recall, sa mga nakaraang pagdinig natin, ating nakilala ang hindi kapanipaniwalang katauhang nakatanggap ng confidential fund na may ngalang "Mary Grace Piattos." Si Mary Grace ay isa lang din sa halimbawa ng mga kaduda-duda na impormasyon na ibinibigay ng mga acknowledgment receipt na isinumite ng OVP at ng DEPED sa kanilang pagpapaliwanag ukol sa paggamit ng confidential funds.

Noong nakaraang linggo ay ipinaunlakan na ng mga career public officials ng OVP ang ating imbitasyon—bagaman kinailangan pang maglabas ng subpoena *ad testificandum* upang sila'y dumalo. With the help of these career public officials, may mga nalaman po ang taong-bayan ukol sa paggastos ng funds ng OVP.

At this point, magbibigay lang...lamang ako ng isang observation muna.

Tila ang mga naipadalang representatives ng OVP ay onti lamang ang nalalaman tungkol sa confidential funds. Kung ito ba ay dahil sa kanilang status dahil career officials at hindi mga nasa inner circle ng Vice President, hindi pa natin alam. Gayunpaman, dahil sa kanilang pagdalo, ating nakuha ang kumpirmasyong dadalawa lamang ang may alam talaga kung saan at paano nagagastos ang confidential fund sa Office of the Vice President at sa Department of Education. Ito ang head of agency at ang Special Disbursing Officer or SDO. Sa OVP, ang mga ito ay nasa katauhan ni Vice President Sara Duterte at SDO na si Ms. Gina F. Acosta. Sa DEPED naman, nasa katauhan ito ni Vice President Sara Duterte at SDO na si Mr. Edward D. Fajarda. Napag-alaman din natin ang SDO ang isa sa mga nagbibigay-paliwanag sa mga Audit Observation Memorandum ng Commission on Audit, ayon sa pahayag ng opisyal ng OVP.

Isa pang napag-alaman natin ang tila bang kaguluhan pagdating sa confidential funds. Sa nakaraang pagdinig, ating nakita na kahit may guidance na sa Joint Circular No. 2015-01 ukol sa confidential expenses at confidential funds, isa sa mga resource persons natin ang nagpahayag na ang confidential activities, katulad ng surveillance activities, in relation to confidential funds ay ginagamit in relation to the mandate of the agency, which mandate pertains to the general operations of the

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agency. Ngunit nakabibigla ang pahayag na ang confidential fund is not a separate item on top of either good governance or socio-economic program delivery. It is within that program. Nagmukhang ang confidential funds ay ginamit upang mag-augment ng pondo ng regular na programa ng OVP at hindi ginamit sa hiwalay na programang may kinalaman talaga sa confidential expenses or surveillance activities to support the mandate or operations of the agency. Kataka-taka din ito sapagkat sa mga nagdaang pagdinig, hindi rin manda...mandato ng OVP ang national security at peace and order, bagama't may programa itong good governance.

Ito marahil ang dapat gawan ng batas—bumalangkas ng panukalang magbibigay direksiyon sa mga ahensiya sa paggamit ng confidential funds at anong aktibidad ang confidential activities at ang tamang pagsusuri nito ng ating mga ahensiya na may oversight.

Nakapagbigay-linaw din ang mga opisyal ng OVP sa tanong kung bakit biglang tumaas nang minsan ay humigit 400 percent ang expenses ng kanilang opisina. Ito nga raw ay dahil sa operation ng mga satellite offices. Ang mga satellite offices ng OVP ay kumukonsumo sa higit kalahati ng pondo ng OVP. Sila ay palaging iniimbitahan, ngunit hanggang sa araw na ito, mailap na dumalo at ayaw sagutin ang mga katanungan sa pondo ng bayan. Mas mabilis sanang masasagot ang katanungan at malulutas ang mga issue ng ating pagdinig kung sa simula pa lang ay nagpaabot na ng pakikipagtulungan sa pamamagitan ng pagdalo ang mga opisyal ng OVP.

Napatunayan sa nakaraang pagdinig na ang nag...pagsasabi ng totoo dito sa Kamara, dito sa House Blue Ribbon Committee, ay hindi dapat ikabahala. At the end of the day, ang aming mandato ay magsabatas ng mga panukalang makatutulong sa pondo ng bayan at mapigilan ang katiwalian sa pamahalaan sa pamamagitan ng mga panukalang ito.

Maraming salamat po.

We will now proceed to the administrative matters. I now call on the Committee Secretariat to provide the Committee an update on the invitations, requests, correspondences, submissions, and compliance.

THE ACTING COMMITTEE SECRETARY. Your Honor, in sum, the agencies have provided the Committee the requested documents in the previous hearings. However, with regard to COA, they manifested that they are having problems with

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some of the voluminous documents, particularly OVP documents, which Mr. Tomawis will state later.

For the contempt and arrest orders, it has been transmitted by the LSB to the law enforcement agencies. We...Not in attendance today are Ms. Acosta, Ms. Gina F. Acosta, and the spouses Mr. Edward D. Fajarda and Atty. Sunshine Charry A. Fajarda. However, in the previous meeting, they have sent their letter request to lift the contempt and arrest orders, Your Honor.

For the rest of the other resource persons, they have sent their excuse letters for their non-appearance today, Your Honors.

Thank you.

May I please also recognize Mister...Atty. Vicente G. Uncad from the Bureau of Immigration and Mr. Christopher M. Cansino, Director III, Special Services Sector, of the Commission on Audit.

That's it, Your Honor.

REP. AMPARO MARIA J. ZAMORA. Mr. Chair, sorry.

THE CHAIRPERSON. Congresswoman Pammy Zamora, you're recognized.

REP. A. M. J. ZAMORA. I'd like to refresh the memory of everyone.

I remember that the Committee cited in contempt four individuals. When was the...That was the November 11 hearing of this Committee. They are Mr. Lemuel Ortonio, Gina Acosta, Sunshine Fajarda, and Mr. Edward Fajarda. And after they were cited in contempt, these four individuals, I believe, were issued with the penalty of being detained at the premises of the House of Representatives for a period up to the time that a Committee has submitted a Committee Report. And may I just confirm, Mr. Chair, with the ComSec the status of these contempt orders, whether these four officials were already...have they been arrested or...and/or detained?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

With...I would refer to the re...Activity Report of the LSB. They have submitted to the Committee an After Activity Report from the Philippine National Police – Eastern Police District. They stated that...They stated that the Office of the Vice President said that they could not present the said individuals because they are on official travel. So, the LSB and the law enforcement agencies were unsuccessful in taking into custody the said individuals, Your Honor.

REP. A. M. J. ZAMORA. All right.

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THE CHAIRPERSON. Congressman Pammy.

REP. A. M. J. ZAMORA. The...So, if ganoon, in view of their non-attendance and the fact that we cannot...the LSB cannot find them, I move that the contempt order and the arrest order be forwarded immediately to the Bureau of Immigration in order to prevent these officials from fleeing the country—let's avoid that—and evading arrest, and for the BI to issue, when warranted, the necessary look-out bulletin order or alert list order.

I also move that the Committee closely coordinate, Mr. Chair, with the PNP and the NBI in order to effect the arrest of these individuals who aren't present...

(MS. ERLINDA C. REYES TOOK OVER)

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REP A. M. J. ZAMORA. (Continuing)...aren't present and to... after which immediately turn them over to the House of Representatives. I so move, Mr. Chair.

REP. RAUL ANGELO "JIL" D. BONGALON. Second, Mr. Chair.

REP. JOSEH STEPHEN "CARAPS" S. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. Just to ano... for purposes of ano lang po, iyong processes in this Committee, the basic principle and under the Rules is only... we can only move a one motion for one subject matter. So, may I ask the...

REP. A. M. J. ZAMORA. All right.

REP. PADUANO. ...the movant to once again separate the first motion to the second motion.

Thank you, Mr. Chair.

THE CHAIRPERSON. Make two separate motions.

REP. A. M. J. ZAMORA. Yes, sorry.

Mr. Chair, I would like to move that the contempt and arrest order of these individuals be forwarded to immediately to the Bureau of Immigration in order to prevent them from fleeing the country and, when warranted, to issue necessary look out bulletin or alert list order...

THE CHAIRPERSON. We will rule first on the...

REP. A. M. J. ZAMORA. ...I so move, Mr. Chair.

THE CHAIRPERSON. The first motion is to...

REP. A. M. J. ZAMORA. No.

THE CHAIRPERSON...forward.

REP. A. M. J. ZAMORA. All right.

THE CHAIRPERSON. So, we will move for the... we will rule on the first motion first.

REP. ZAMORA. All right.

REP. BONGALON. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. A. M. J. ZAMORA. So...

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THE CHAIRPERSON. ...The motion is carried.

REP. A. M. J. ZAMORA. Mr. Chair, I also move that we ask the BI to include them in a look... Immigration Look Out Bulletin or an alert list order. I so move, Mr. Chair.

REP. BONGALON. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. A. M. J. ZAMORA. And lastly. Mr. Chair, I would also move that the Committee closely coordinate with the Philippine National Police in order to effect the arrest of the individuals and turn over... and turn them over to the House of Representatives.

THE CHAIRPERSON. Is that a motion or just a manifestation? Just a manifestation?

REP. A. M. J. ZAMORA. Yes.

THE CHAIRPERSON. Okay.

ComSec, please take note of the manifestation of Congresswoman Pammy Zamora.

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Congress... DS Jay-Jay Suarez, you are recognized.

REP. SUAREZ. Yeah. In line with the... In line with the motions acted upon by the Committee, later on, can we ask that the Sergeant-at-Arms be present so that we can get an update on the status of the contempt orders on these individuals? Kasi, kung ang dahilan nila ay may ibang lakad sila sa araw na ito, given na may contempt order na sa kanila, sa palagay ko hindi... hindi substantial iyong dahilan na iyon para hindi po sila dumalo sa ating pagdinig.

THE CHAIRPERSON. ComSec, puwede po bang pakitawag ang Sergeant-at-Arms?

THE ACTING COMMMITTEE SECRETARY. Yes, yes, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. PADUANO. Chairman.

THE CHAIRPERSON. Congressman Paduano.

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REP. PADUANO. Just a point of clarification, at the same time manifestation, Mr. Chairman. Because as far as I heard, the report of the ComSec, ang sabi po ng ComSec, they... the contempt order was served to the four officials, 'no, namely: Sunshine Fajarda, Edward Fajarda, Gina Acosta, and Lemuel Ortonio, for reasons that they are on official travels, tama ho ba iyon? And official...

THE ACTING COMMITTEE SECRETARY. Official travel, Your Honor.

REP. PADUANO. Official travel outside of this country?

THE ACTING COMMITTEE SECRETARY. No, Your Honor. Locally, Your Honor.

REP. PADUANO. But have they received the contempt and arrest order for them?

THE ACTING COMMITTEE SECRETARY. Per the report of the LSB, not yet, Your Honor.

REP. PADUANO. So, Mr. Chairman, it is not acceptable to this Representation just because of their official travel and official business, they cannot be served with this contempt order. Kasi over and above, in all cases with regards to contempt orders, vis-à-vis official travels, dapat po i-serve talaga iyong ano, iyong contempt orders. So, that will not be a valid reason for not serving such contempt order. That's why, Mr. Chair, instead of just coordinating with the... once again with the SAA, may I move, Mr. Chairman, that the contempt order will be officially communicated to the NBI, to CIDG, 'no, and to all local PNP stations in which the addresses of those four officials that was cited in contempt.

THE CHAIRPERSON. Yes. That's why we are inviting the Sergeant-at-Arms to verify what are the steps na ginawa po nila dahil hindi naman po nila na-serve iyong contempt orders. So, aalamin natin ano iyong ginawa nila and ano pa iyong hakbang na gagawin nila.

Yes, ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honors, I would like to manifest that the LSB sent their report. They have transmitted, actually, the contempt and arrest orders to the Director of the NBI, Honorable Judge Jaime B. Santiago. They also transmitted it to the Chief, PNP Police... Police General Rommel Francisco

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D. Marbil; to the Acting Director of CIDG, to Honorable Nicolas D. Torre III; to the Chief of Police of Mandaluyong, Police Colonel Mary Grace R. Madayag; to the OIC Eastern Police District, Police Colonel Villamor Q. Tuliao. And... And that was included in the report of the LSB and Sergeant-at-Arms, Your Honor.

They have also inquired from the Committee the residential address of these individuals. However, the Secretariat was only able to provide information as to the spouses Fajarda, as provided by the Department of Education, Your Honors.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. With that, Mr. Chairman, I move that to direct the ComSec to inform all those mentioned government... mentioned officials, 'no, of the PNP, NBI, for them to report to this Committee, through the ComSec, ASAP, Mr. Chairman. And if they cannot make that report, may we invite them, those mentioned officials, to be present in the next hearing. So moved, Mr. Chairman.

REP. SUAREZ. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honor, as to the issuance of a lookout bulletin order, on November 6, 2024, the Secretary of Justice has already issued an ILBO for the seven individuals and this included the four already cited in contempt and issued an arrest order, Your Honors.

THE CHAIRPERSON. Thank you.

Is there any more concern?

REP. PADUANO. Mr. Chairman...

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. ...since the BID representative... the representative of BID is present, can we ask him about the update of that lookout bulletin that was issued by the DOJ Secretary?

MR. VICENTE G. UNCAD (Acting Chief, Certification and Clearance Section, Bureau of Immigration). It's' already...

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THE CHAIRPERSON. Attorney Ungad...

MR. UNCAD. Ay, sorry.

THE CHAIRPERSON. Un... Uncad, you're recognized.

MR. UNCAD. Good morning, Mr. Chair. Good morning, Honorable Members of the Committee.

Sir, as previously mentioned by the ComSec, the Secretary of Justice issued a lookout bulletin on November 6, 2024 for the seven aforementioned individuals.

REP. PADUANO. Yeah. We know that, that was reported by the ComSec. But what's the latest, have they traveled?

MR. UNCAD. No, Your Honor. All of them are here. But we still have problems with the name "Gina Acosta". There are numerous individuals named "Gina Acosta". We don't have her birthday, Your Honor.

REP. PADUANO. Once again, BID, alam mo naman, Gina Acosta is... is an official of the... Office of the Vice President ba?

THE ACTING COMMITTEE SECRETARY. Vice President. Yes, Sir.

REP. PADUANO. OVP. Now, iyong service record lang, makuha niyo na doon question of the date of birth and place of birth, hindi ba?

MR. UNCAD. Yes, Your Honor.

REP. PADUANO. Just to... Just to check a certain "Acosta", 'pag marami iyan, 'di ba ang... ang standard operating procedure natin is to get the... the date of birth, at the same time the place of birth.

MR. UNCAD. Yes, Your Honor.

REP. PADUANO. Then...'di ba, ma-deduce na natin kung sino talaga iyong Gina Acosta that we are inviting for in this hearing. So, may record naman iyan, iyang Office of the Vice President, 'di ba?

MR. UNCAD. Yes, Your Honor...

REP. PADUANO. O, kunin niyo na lang iyong PDS doon, nandoon na iyon lahat.

MR. UNCAD. Yes, Your Honor.

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REP. PADUANO. And we only need... again, once again, we only need the date of birth at saka place of birth, 'di ba? Doon mismo sa OVP. Then i-check niyo ang record niyo, 'di ba? Tama?

MR. UNCAD. Yes, Your Honor.

REP. PADUANO.O, so, please kindly into... ngayon po baka puwede nang matawagan...

MR. UNCAD. Yes, Your Honor. We will do that.

REP. PADUANO. ...to get a copy of the PDS of Ms. Gina Acosta, then you verify it kung may travel record siya from the very start of this hearing until today.

MR. UNCAD. Yes, Your Honor.

REP. PADUANO. Thank you. Thank you. Thank you, Chairman.

THE CHAIRPERSON. Maybe we can ask the Admin from the OVP. Do we have officials from the Admin of the OVP?

Attorney Sanchez, maybe... Ang sagot po sa inyong katanungan, si Attorney Sanchez.

MS. SANCHEZ. Good morning, Mr. Chair...

(MS. MA. LUISA M. RAMIREZ TOOK OVER)

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MS. SANCHEZ. (Continuing)...Mr. Chair. We will provide upon instruction of the Committee, Mr. Chair.

THE CHAIRPERSON. Yes, ah...

REP. PADUANO. Mr. Chairman, when? Because we need it today. Can you provide us within the day? Kasi nandito na rin ang BID...

THE CHAIRPERSON. Anyway...

REP. PADUANO. Tatawagan lang ng BID iyan 'pag na... You... If you can provide now the place of birth and the date of birth of Ms. Gina Acosta, mabilis lang iyan ma-check ng BID para matapos na natin iyan.

MS. SANCHEZ. We will...

REP. PADUANO. Ang... Ang kailangan lang naman natin dito travel record, 'di ba, ni Gina Acosta? So, can you provide that, Ma'am, within the day?

MS. SANCHEZ. Mr. Chair, we will obtain the record from the office, Mr. Chair.

REP. PADUANO. Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you po.

REP. SUAREZ. Yeah...

REP. A. M. J. ZAMORA. Mr. Chair.

REP. SUAREZ. ...Mr. Chair.

THE CHAIRPERSON. Before I recognize, with the indulgence of DS Jay?

REP. SUAREZ. Of course, ladies first.

THE CHAIRPERSON. Ladies...

REP. A. M. J. ZAMORA. Thank you.

THE CHAIRPERSON. Congressman Pammy Zamora, you are recognized.

REP. A. M. J. ZAMORA. Mr. Chair, I'd like to ask if we were able to invite or if she is present today, si Attorney Rochelle Abella? I remember the last hearing, we invited her.

THE ACTING COMMITTEE SECRETARY. Your Honor.

THE CHAIRPERSON. ComSec.

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THE ACTING COMMITTEE SECRETARY. Yes. Your Honor, Attorney Rochelle Abella and Abella was invited. She sent an excuse letter stating that she has a hearing in Makati City today, Your Honor.

REP. A. M. J. ZAMORA. Okay. Mr. Chair, bilang abogado ka naman, is that valid? Is that reason enough to skip our hearings?

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. ComSec, in his excuse letter may attach ba... may attachment ba? None?

THE ACTING COMMITTEE SECRETARY. None, Your Honor.

REP. PADUANO. O, so, that is not acceptable, Mr. Chairman, because we need a proof that indeed may schedule siya for hearing in Makati City.

REP. ADIONG. Mr. Chair.

THE CHAIRPERSON. Yes, ah...

REP. PADUANO. So, non... not acceptable. Ano ba iyong invitation sa kaniya last time—regular invitation, show cause o subpoena?

THE ACTING COMMITTEE SECRETARY. Regular invitations, Your Honor.

REP. PADUANO. So, with that, Mr. Chairman, I move that we issue a show cause order for that lawyer. So moved, Mr. Chairman.

REP. ADIONG. Mr. Chair.

REP. BONGALON. Second.

THE CHAIRPERSON. There is a...

REP. ADIONG. Second.

REP. A. M. J. ZAMORA. Second.

REP. ADIONG. Mr. Chair.

THE CHAIRPERSON. ...duly seconded...

REP. ADIONG. In relation to that, Mr. Chair, maybe we can also ask the ComSec to know exactly what... ano iyong hearing na 'to so that we can also get a certification that indeed today there... there's a hearing that should be attended by the

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person that we are now issued a show cause order. Para makita po natin kung mayroon talagang, sa ngayon, na...

THE CHAIRPERSON. Yes.

REP. ADIONG. ...parallel activity ang gagawin po niya. So maybe we can get from the Makati. I don't know if it's...

ComSec, is that a trial court or what is it? Was...

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. ADIONG. We can ask...

REP. PADUANO. With due respect to the manifestation or possible motion of the good Zia Adiong, Mr. Chairman, that's why we issue also a show cause order for him to explain and justify his excuse letter. Now, it's up to him to submit that document if, indeed, there is such a hearing for that... for today.

THE CHAIRPERSON. Yes...

REP. ADIONG. Mister...

THE CHAIRPERSON. ...But we will have to rule on the motion first.

REP. PADUANO. That's why...

THE CHAIRPERSON. Yes. Since...

REP. PADUANO. ...That's why, Mr. Chairman, my motion still stand that I move to issue a show cause order.

THE CHAIRPERSON. Yes, and it was duly seconded. Is there any objection?

REP. PADUANO. Thank you.

THE CHAIRPERSON. Hearing none, the motion is carried.

Now, to answer the query of our esteemed colleague, Congresswoman Pammy Zamora, actually, under the Rules of Court, she can request for a postponement sa hearing. Because ang ipinagbabawal lamang po sa Rules of Court if it will cause delay in the proceedings. But once iyong hearing naman po, ang request niya ay pagpo-postpone, like, for example iyong force majeure, kagaya po nitong ginagawa natin, hindi naman po niya kontrolado, mayroon po siyang natanggap na subpoena, eh, pupuwede po siyang mag-request ng postponement doon po sa court, sa Makati, 'di

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ba, to comply with the subpoena order of this Committee. However, under our Rules, dito po sa ating internal Rules, ina-allow din po natin na mag-request siya ng postponement provided na mayroon siyang sufficient justification.

Tama po iyong sinasabi ni Congressman Paduano at saka ni Congressman Zia Adiong Alonto na dapat magbigay siya sa atin ng certification that, indeed, she is attending a court hearing.

So... But since we have already ruled on the motion, siguro iyong show cause order, kailangan ilagay po natin doon na kailangan i-attach niya iyong certification ng...

REP. ADIONG. Clerk of Court.

THE CHAIRPERSON. ...coming from the Clerk of Court of—ano po iyan—Makati...

REP. ADIONG. Makati.

THE ACTING COMMITTEE SECRETARY. Your Honor, no branch was mentioned, Your Honor.

THE CHAIRPERSON. Ah, walang branch? Okay. So, kung anong branch po iyan paki... pakilagay doon sa show cause order na maglagay siya ng attachment ng certification.

REP. A. M. J. ZAMORA. Thank you, Mr. Chair.

THE CHAIRPERSON. Any other admin matters?

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Yes, Deputy Speaker Jay Suarez, you are recognized.

REP. SUAREZ. Thank you very much.

I have a copy here of a letter signed by Sunshine Fajarda, Edward Fajarda and Gina Acosta. And they mentioned that, while they have not received the said orders, "...we are aware the Committee has verbally issued the same during the hearing."

Can I just ask from the ComSec, ComSec, what's the status of the orders that were sent to these three individuals? Natanggap ba nila?

THE ACTING COMMITTEE SECRETARY. Sir, per the report of the LSB, no, Your Honor, because they were not in the office when it was served to them, Your Honor.

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REP. SUAREZ. No. But who was at the office?

THE ACTING COMMITTEE SECRETARY. Let... Let me check, Your Honor, from the report of the LSB.

At 4:56 p.m....

REP. SUAREZ. Kasi... Kasi, alam mo, puwedeng ayaw nilang tanggapin, number one. Puwedeng hindi nila natanggap. So, gusto kong malaman kung ano iyong dahilan kung bakit dito sinsasabi nila na, "We have not received the said orders."

THE ACTING COMMITTEE SECRETARY. Your Honor, per the...

THE CHAIRPERSON. Before... Before I recognize the ComSec, the Chair would like to recognize the presence of the Honorable Robert Ace Barbers.

REP. ROBERT ACE S. BARBERS. Thank you, Chairman.

THE CHAIRPERSON. Yes. Please, ComSec, please continue.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

From the report of the LSB, at 4:56 p.m. on November 15, Your Honor, they had a brief meeting with the legal team informing them with the arrest order issued by the House of Representatives. During the brief meeting, it was Attorney Lucky Ebrole and Attorney Leandro Resurreccion IV, legal representation from the OVP. Per to the team, that the said persons have an official travel outside Metro Manila. At 5 p.m. onwards, the team continued area monitoring around Cyber Gate Plaza and they left the area at 6 p.m. Despite of diligent efforts to implement the said orders, subject persons were not found in the Cyber Gate Plaza, Office of the OVP, Your Honors.

REP. SUAREZ. But, nevertheless, Mr. Chair, also stated here that, "We are aware of the Committee has verbally issued the same hearing." So, meaning, alam po nila...

THE CHAIRPERSON. Yes.

REP. SUAREZ. ...na mayroon pong contempt order sa kanila, at dito nga ipinapakiusap po nila na kung maaari ma-lift.

So, I would just like to stress this, Mr. Chair, because, number one, they know of the hearing, they know of the contempt and yet they continue to defy the invitation of the Committee.

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And likewise, is Mr. Lemuel Ortoño present?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Not, Your Honor. I think not although it was highlighted, there might have been an error in the document presented to me by the LSB, Your Honor.

REP. SUAREZ. He's not here either. All right.

Well, in any case, Mr. Chair, insofar as existing contempt order has been issued against these individuals, so let's just put that on the record, 'no.

Thank you very much, Mr. Chair.

THE CHAIRPERSON. Well, regardless of their excuse, this is already the, I think, 6th hearing. Eh, iyon pong galing America nakarating nga dito, eh. Monday lang po dumating si Attorney Zuleika Lopez and yet immediately nandidito po siya ngayon, ngayong Wednesday. So, I don't think may enough reason pa sila. And besides, under our Rules, dalawang beses ka lang po pupuwedeng magpa-excuse or postponement, provided may justifiable cause. Eh, ito po, anim na beses na po sila. They were given six times—six opportunities—to attend. So, ni isang hearing po diyan wala po sialng inatenand *(attend)*.

So, regardless of their excuse I don't find it justifiable.

REP. BONGALON. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Bongalon.

REP. BONGALON. Thank you, Mr. Chair.

In relation to the letter dated November 12, 2024...

(MR. ALVIN ANTHONY F. RABULAN TOOK OVER)

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REP. BONGALON. *(Continuing)...November 12, 2024, submitted by* Mr. Lemuel Ortonio, and I guess the Members of this Committee were furnished with this copy of this letter. Upon reading of this letter, Mr. Chair, I have not seen any valid reason for Mr. Lemuel Ortonio not to attend in today's hearing. In fact, he has stated that he is aware that a contempt order and an arrest order were issued against him and, in fact, he is requesting that these orders be lifted for him to participate in the next Committee hearing. Let me emphasize, Mr. Chair, that this letter was dated...is dated November 12, 2024, and today is November 20, Mr. Chair. With this assurance *for him to participate in this...or today's Committee hearing, may I move once more,* Mr. Chair, that Mr. Lemuel Ortonio be cited in contempt for the following reason, Mr. Chair: number one, he is aware that there will be a Committee hearing today, November 20, 2024, and that the excuse offered in this letter is not a valid one. And for me, Mr. Chair, this is continued defiance of a lawful order of this Committee and it is a sign of disrespect wherein Members of this Committee, Mr. Chair, had taken the time to attend and appear before this Committee hearing. Again, may I move once more, Mr. Chair, for Mr. Lemuel Ortonio, to cite him in contempt, Mr. Chair. I so move, Mr. Chair.

REP. SUAREZ. Second.

REP. A. M. J. ZAMORA. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection to the motion? Hearing none, the motion is carried.

Just to clarify, kung bakit po tayo nagko-contempt ulit. This is based on different grounds.

REP. SUAREZ. Yes.

THE CHAIRPERSON. Yes, *because the previous ground,* iyong contempt po natin, eh...ang contempt po kasi ay anim po ang grounds. So, iyong first ground, without legal excuse to obey summon. Ito po kasi iyong binabanggit po ninyo is based on section 11 (e), acting in a disrespectful manner towards any Member or Committee or any misbehavior in the presence of the Committee. So, ibang ground po itong binabanggit po ninyo.

REP. BONGALON. Yes, Mr. Chair, just to clarify, it is under section 11, paragraph (e)...

THE CHAIRPERSON. Okay.

REP. BONGALON. ...of our House Rules, Mr. Chair.

THE CHAIRPERSON. Okay. Please continue.

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REP. BONGALON. *And further, Mr. Chair, since we are citing Mr. Lemuel* Ortonio for a different ground under our rules, and I move that Mr. Lemuel Ortonio be confined at Bicutan prison, Mr. Chair. I so move.

THE CHAIRPERSON. There is a motion to confine, Mr. Ortonio, in...saan po?

REP. BONGALON. Bicutan prison, Mr. Chair.

THE CHAIRPERSON. Bicutan prison.

Is there any second to the motion?

REP. JEFFERSON F. KHONGHUN. Second.

REP. A. M. J. ZAMORA. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. SUAREZ. For how long?

THE CHAIRPERSON. For what period?

REP. BONGALON. Until the Committee Report...

REP. SUAREZ. Ten days.

REP. BONGALON. ...*I'm sorry, Mr. Chair. The period of detention...*

THE CHAIRPERSON. Under the Rules, Section 11 (e)...

REP. BONGALON. ...is 10 days, Mr. Chair.

THE CHAIRPERSON. ...and (f), 10 days po ang maximum.

REP. BONGALON. Yes, 10 days, Mr. Chair.

THE CHAIRPERSON. Yes. Okay, 10 days. We will go for the maximum, 10 days.

REP. SUAREZ. Mr. Chair, in connection to the motion of Congressman Bongalon, *I have here a letter signed by Mr. Lemuel Ortonio. It was received by the* Committee on November 20, 2024 at 9:15 pm.

Wala ba talaga siya dito, ComSec?

THE ACTING COMMITTEE SECRETARY. Negative, Your Honor.

REP. SUAREZ. Ha?

THE ACTING COMMITTEE SECRETARY. Wala po.

REP. SUAREZ. Kasi nakasulat dito, on paragraph 1, 2, 3, 4, 5, "while I maintain our stand stated in the position papers we submitted, I am here ready to *participate in the proceedings. I will do my best to answer any questions related to* the activities of the OVP and its accomplishments." So...

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THE ACTING COMMITTEE SECRETARY. *Your Honor, even in the Pages* and in the registration, they have not physically found, Mr. Lemuel Ortonio, to be present here, Your Honor.

REP. SUAREZ. So, ano'ng dahilan nitong sulat na ito? Bakit niya sinasabi na pupunta siya dito at magpa-participate siya, 'eh, wala naman pala siya dito? Well, I don't expect the ComSec to be able to answer that. But, I guess, that would put more emphasis on the justification on the motion of Congressman Bongalon. Unacceptable, Mr. Chair. I mean, he mentioned that he was coming. Nandito sa letter niya, tapos wala rin siya dito.

REP. BONGALON. Mr. Chair.

THE CHAIRPERSON. Congressman Bongalon.

REP. BONGALON. Thank you, Mr. Chair.

Another matter, Mr. Chair, in a letter dated November 12, 2024, signed by Atty. Sunshine Charry Fajarda, Mr. Edward Fajarda, and Gina F. Acosta, upon perusal, I have seen that a common reason for their non-attendance is that they are on official business. And may I request from the Committee Secretary, if she can *confirm that in that letter, was there any attachment to prove that on these particular* dates, from November 9 to 15 of 2024, an official business or official travel was attached in this letter to prove that indeed these officials are on official business. Can we confirm from the Committee Secretary, Mr. Chair.

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honor, there was no attachment in that...it was a one-pager. One-pager for the three individuals. One-pager for Mr. Ortonio as well, Your Honors.

REP. BONGALON. *So, wala hong naka-attach na proof na kahit official* travel?

THE ACTING COMMITTEE SECRETARY. None, Your Honor.

REP. BONGALON. So, in other words, Mr. Chair, this one-pager document is a mere scrap of paper, Mr. Chair. We can always offer an excuse stating this. But as an official, we have to convince this Committee that indeed on these particular dates, they are on official business. And the best document to prove that they are on official business is an official travel issued to them.

So, Mr. Chair, I would like to move that this letter submitted by these three individuals or officials from the Office of the Vice President...I move that the

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Committee only note this letter and cannot be acted upon as an excuse for their absence in today's Committee hearing, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

REP. ADIONG. Second. *(Inaudible/Microphone not activated)*

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

THE ACTING COMMITTEE SECRETARY. Your Honor, may I be recognized.

THE CHAIRPERSON. Yes, ComSec, you are recognized.

THE ACTING COMMITTEE SECRETARY. Your Honor, the Sergeant-at-Arms is present, Your Honor, Taas, Your Honor.

THE CHAIRPERSON. Yes, please continue, Congressman Bongalon.

REP. BONGALON. That would be all.

REP. RAMON RODRIGO L. GUTIERREZ. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Gutierrez.

REP. GUTIERREZ. Mr. Chair, in relation to the query of the Honorable Deputy Speaker, I understand the question was on the letter by Mr. Ontonio?

THE CHAIRPERSON. Ortonio.

REP. GUTIERREZ. Ordonio...Ortonio.

THE CHAIRPERSON. Ortonio.

REP. GUTIERREZ. Ortonio. And I understand he is the Assistant Chief of Staff in the OVP.

Mr. Chair, perhaps if the Deputy Speaker would be of the like mind, we could ask the Chief of Staff, who is present here today with us, if she is aware of the circumstances surrounding the letter that has been submitted. This is highly curious po that he would commit to being here today, yet...which is a letter dated yesterday or today po ba, November 20...so, that was dated today yet he's not here. Perhaps the Chief of Staff would be able to enlighten us, seeing that they are in the same office and, in fact, the subject person is her subordinate po.

Iyon lang, Mr. Chair.

THE CHAIRPERSON. Before I recognize Atty. Zuleika Lopez, could you please administer the oath of Atty. Lopez, ComSec.

Ma'am, puwede po bang mag-oath po muna tayo. Thank you po, Ma'am.

REP. SUAREZ. Mr. Chair, can we also include the new personalities who are present for the first time para isang administering of oath na?

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THE CHAIRPERSON. Yes. Lahat ng mga ngayon lang dumating, puwede po ba magsitayo po kayo. The ComSec will administer your oath.

Thank you.

ComSec, please proceed.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honors.

At this juncture, the resource persons stood up to take their oath.

THE ACTING COMMITTEE SECRETARY. Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth in this inquiry? So help you God.

The oath has been administered...

(MR. REYNALDO T. SANTOS, JR. TOOK OVER)

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THE ACTING COMMITTEE SECRETARY. (Continuing)...has been administered to all new attendees, Your Honor, even the ones in the audience.

Thank you, Your Honor.

THE CHAIRPERSON. Thank you.

Ma'am... Attorney Zuleika, would you like to respond to the query of Congressman Gutierrez?

MS. ZULEIKA T. LOPEZ (Chief of Staff, Office of the Vice President). Good morning to the Honorable Members of the Committee.

Before I answer the question of the Honorable Rodge Gutierrez, I'd like to begin with the word of gratitude to the Honorable Members of the Committee for the grant of understanding and... grant of understanding in my medical... in my... in my recent travel to the US due to a medical emergency of an immediate family member. I do want to let you know that the worse is not over yet for my relative, but the family is still expecting, of course, the best possible outcome. Having said that, I do want to extend my appreciation, and my entire family, really, is actually very appreciative of this act of kindness that was extended to me during that difficult time.

Having said that, good morning again, Sir Rodge.

I recently... I arrived last November 18, which was last... last Monday. And then, kahapon lang po ako pumasok officially sa opisina namin. I have not seen at all ASec Lemuel Ortonio, and I understand that he is on official travel.

Thank you.

REP. GUTIERREZ. Mr. Chair, with that...

THE CHAIRPERSON. Yes, Congressman Rodge.

REP. GUTIERREZ. ...I would like to take it po, 'no, that that's official manifestation of the Chief of Staff. So, there seems to be a conflict. On one hand, he is on official travel. And on the other, in his letter, he stated he will be present today. So, that just adds to the point that the Deputy Speaker is making, and I think I'll leave it to the Committee for our consideration. Iyon lang po.

Maraming salamat, Attorney Lopez.

Thank you, Mr. Chair.

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THE CHAIRPERSON. Well, to be honest with you, I find it unjust... unjustifiable iyong reason po niya because this is not the first time na absent po siya. This is the sixth Committee hearing and, yet, from the outset, hindi naman po siya uma-attend. They refuse to participate. Eh, lahat naman po, buong Pilipinas, nakakaalam na hinahanap na po siya dito sa ating Committee hearing. At, unfortunately, hanggang ngayon, lahat po sila, iyong apat po, hindi pa rin po dumarating.

REP. GUTIERREZ. Mr. Chair, most respectfully, I... we... I think we're all in agreement that the excuse is not acceptable. But I think this is just to add... this is an aggravating circumstance of sort. Why would Mr. Ortonio mention that he will be here today in the letter and, at the same time, be on official leave? So, which is which po? That's what I meant po, Mr. Chair, most respectfully, for the consideration of this Committee.

Iyon lang po. Maraming salamat.

THE CHAIRPERSON. Yes. Thank you.

REP. SUAREZ. Mr. Chair, can I just get...

THE CHAIRPERSON. Deputy Speaker Jay-Jay Suarez is recognized.

REP. SUAREZ. Thank you very much.

Attorney Sanchez, kayo po iyong OIC-Chief of Staff ngayon? Ano pong position ang hawak ninyo ngayon...

MS. SANCHEZ. Mr. Chair, I was not designated as OIC-Chief of Staff. The last time...

REP. SUAREZ. ...while... while Attorney Lopez was away? Is that correct?

MS. SANCHEZ. No, Mr. Chair. I was only designated only for October 18, 2024. For one day only, Mr. Chair.

REP. SUAREZ. One day.

MS. SANCHEZ. Yes, Mr. Chair.

REP. SUAREZ. Sandali ka lang naman pala nag-OIC, ano, isang araw lang.

MS. SANCHEZ. Yes.

REP. SUAREZ. Bakit isang araw lang?

MS. SANCHEZ. Mr. Chair, at that time, both of them were on travel and they returned the week after.

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REP. SUAREZ. So, who was acting... Attorney Lopez, who was acting in your capacity while you were away?

MS. LOPEZ. Your Honor, Mr. Chair, while I was away, I understand it was the Assistant Secretary, Mr. Lemuel Ortonio, who was the Officer-in-Charge of the OVP.

REP. SUAREZ. Okay. The same person that we're talking about, 'no.

MS. LOPEZ. Yes, Your Honor. But I left early on, eh. I was away November 4.

REP. SUAREZ. So, if he is in official travel, who granted him that travel authority?

MS. LOPEZ. I... I beg your indulgence, I was not able to see yet the travel authority because, as I've mentioned earlier, I really just arrived and that was not really one of the documents I...

REP. SUAREZ. Yeah. Because he cannot...

MS. LOPEZ. ...have gone through.

REP. SUAREZ. ...he cannot issue a travel authority to himself.

MS. LOPEZ. Yes.

REP. SUAREZ. So, him, being the one in charge, so my question is, who issued his travel authority? So, you were not there.

MS. LOPEZ. Yes.

REP. SUAREZ. So, Attorney Sanchez.

MS. SANCHEZ. Mr. Chair, I will check with the office, but I have not seen the travel authority, Mr. Chair.

REP. SUAREZ. So, but he... he does have a travel authority. Can you confirm that he has a travel authority?

MS. SANCHEZ. I have... I am not aware, Mr. Chair.

REP. SUAREZ. Okay. Can you be kind enough to ask your office, maybe we can get that information within the hour?

Kasi nakakapagtaka lang, Mr. Chair, siya po iyong Officer-in-Charge at sinasabi niya na wala siya dito, although pinangako niya na darating siya. So, medyo hindi ko lang... hindi ko lang po maitugma iyong dahilan kung bakit hindi pa rin siya sumisipot.

So, that's it, Mr. Chair, 'no.

REP. ADIONG. Mr. Chair, in line with this...

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THE CHAIRPERSON. Thank you.

REP. ADIONG. ...manifestation of DS Jay-Jay...

THE CHAIRPERSON. Congressman Zia.

REP. ADIONG. Yes. In line with the manifestation of DS Jay-Jay, I think we all know, as a regular administrative processes, whenever you are requesting for a trav... travel authority, alam po naman natin talaga, it's the principal, it's the head of the agency that really approves that. So, I don't think it would take, I guess, Attorney Sanchez to verify from the office who authorized the travel authority of this particular individual. I mean, judging from the way the administrative processes is being practiced and exercised in the bureaucracy, in all bureaucracies in the government, we know that it would be... it would be the ano, the Vice President who would probably grant the travel authority to this particular... Am I correct?

MS. SANCHEZ. Mr. Chair, based on the delegation of authorities in our office order, the approval for travel orders of the Chief of Staff and the Assistant Chief of Staff belong to the head of agency, Mr. Chair.

REP. ADIONG. That... That's it. Who is the head of the agency?

MS. SANCHEZ. The Vice President, Mr. Chair.

REP. ADIONG. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

Mayroon pa po? Kung wala na po, we will now proceed to the next...

REP. SUAREZ. Last, last, Mr. Chair, sorry.

THE CHAIRPERSON. Yes, DS Jay Suarez.

REP. SUAREZ. Medyo napakahirap po kasing lunukin itong patuloy na pag-e-evade ng mga opisyales na iniimbitahan natin dito. May I just manifest, Mr. Chair, that, as we progress and I hope na we can conclude this Committee hearing in the next few weeks, can we also look into the possibility of administrative sanctions against these individuals who continue to defy invitations, subpoenas, contempt orders against these public officials? Mga lingkod bayan po ito, Mr. Chair, eh. So, binabasa ko po iyong mga batas patungkol po sa mga public officials, eh, talagang tungkulin po nila iyong humarap sa mga ganitong pagdinig. At kung patuloy po silang umiiwas, hindi pupunta at hindi dadalo, at gagawa ng kung ano-anumang dahilan, eh, sa palagay ko po, Mr.

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Chair, dapat mapag-aralan din po ng Komitibang ito kung ano pong mga kasong administratibo ang puwede pong ipataw sa kanila dahil hindi po ito sumusunod sa alituntunin ng isang lingkod bayan.

So, that's my short manifestation, Mr. Chair, with regards to Acosta, to Sunshine Fajarda, to Ortonio, and to Mr. Fajarda.

So, thank you very much, Mr. Chair.

REP. RAOUL DANNIEL A. MANUEL. Mr. Chair, short comment lang din, Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Manuel.

REP. MANUEL. Mr. Chair, dagdag doon sa nabanggit ng ating mga kapwa Mambabatas, Mr. Chair, kung ganito iyong tipo ng mga excuses na matatanggap ng Committee, sa totoo lang ay parang sampal na rin ito sa taong-bayan, Mr. Chair, eh. Kasi, halimbawa, itong sulat ni Mr. Lemuel Ortonio, gusto po niya na ma-lift daw iyong contempt order and arrest order para raw maka-attend siya dito sa Committee. Eh, in the first place, Mr. Chair, hindi siya dumadalo kaya siya pinatawan ng contempt order and arrest order, tapos para bang nagse-set pa siya ng condition sa atin para... para raw makapag-participate talaga siya. Eh, parang niloloko tayo dito, Mr. Chair.

Pangalawa, ito pong sulat nina Sunshine Fajarda, Edward Fajarda, at saka Gina Acosta, kasi raw may ginagawa sila sa OVP. Mr. Chair, kung ganito pala, eh, baka kahit i-summon po natin sila 20 times dito sa Committee, puwedeng sabihin lang nila mayroon silang official duty sa Office of the Vice President at iyon iyong kanilang gagamiting excuse para hindi sila dumalo. 'Pag ganoon, Mr. Chair, actually, kaya nga tayo nagho-hold...

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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REP. MANUEL. (Continuing)...nagho-hold ng mga hearings dito para matiyak na kapag may mga official duties ang mga public officials at mayroong pondo na nilalaan para sa mga activities nila ay nagagamit nang tama iyong pondo. We can't allow na magpatuloy lang sa parang normal operations ang mga opisina, gaya ng OVP, ngayong naungkat nga natin na mayroong mga kaduda-dudang transactions. Actually, itong ginagawa natin, Mr. Chair, makakatulong nga ito para mapabuti pa supposedly iyong kanilang serbisyo. Wala tayo dito para i-hamper sila sa kung ano iyong kanilang mga gampanin.

Kaya all the more, Mr. Chair, na, once and for all, dapat talaga dumalo sila ditto at hindi maghapag ng mga...actually, parang nagiging petty na lang, eh, iyong kanilang mga ginagamit na mga dahilan para hindi sila makadalo.

Iyon lang, Mr. Chair, salamat.

THE ACTING COMMITTEE SECRETARY. Your Honor.

THE CHAIRPERSON. Thank you.

REP. ADIONG. Mr. Chair, may... I have an inquiry.

THE CHAIRPERSON. Yes. Congressman Zia.

REP. ADIONG. This is very germane to the topic we're discussing right now. I'd like to ask Atty. Sanchez.

Ma'am, how many times can an employee or, for example, a staff request for a travel authority? May limit ba po sa inyo? Ilang beses po iyan?

THE CHAIRPERSON. Atty. Sanchez.

REP. ADIONG. And what are the reasons for, for example, for the head of the agency to grant this request for a travel authority?

MS. SANCHEZ. Yes, Mr. Chair. We do not have a specific limit as to the number of times that a staff can travel. As long as there is basis or justification and necessity for the travel, Your Honor, it is granted.

REP. ADIONG. So, you have to, for example, Mr. Chair, if I may be allowed, 'no, kasi gusto ko lang pong malaman dahil parang ang always na rason na naririnig natin ay travel, official travel, official travel. Can you categorize to us paano mo idi-differentiate doon sa official travel how many times can an employee request for an official travel? Kung official iyan, ha, like a regular operation ng opisina ninyo.

MS. SANCHEZ. Your Honor, usually for official travels, it's not the employee that requests but it's the...

REP. ADIONG. Office.

MS. SANCHEZ. ...office...

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REP. ADIONG. Okay.

MS. SANCHEZ. ...that orders.

REP. ADIONG. So, what about iyong personal travel?

MS. SANCHEZ. For personal travel, Your Honor, generally, it would be based on the available leaves of the staff. But there would be instances when necessary, for example, if there are medical reasons, Your Honor, that can also be granted but without...

REP. ADIONG. What other reasons are there available that an employee can request for a personal travel? I believe there's the medical reasons. What other reasons can an employee, regular employee, request for a personal travel?

MS. SANCHEZ. Your Honor, for personal travel, there are different reasons provided by...under the CSC guidelines. It can be vacation or emergency leave, kung namatayan but different and varied reasons.

REP. ADIONG. Pero hindi naman every week or every month magkakaroon ka ng travel, 'di ba? The reason why I'm asking this, Mr. Chair, and I want to put into record because the...for...since the time that we have started these Committee hearings, apparently, there are certain individuals who consistently refused to appear before this Committee hearing despite the insistence of this Committee, sending them invitation to appear. And they have even the gall to request to the Committee to lift the contempt order, Mr. Chair.

Pang-ilan na po natin ito, pang-seven, pang-five? Pang-anim na po ito, Mr. Chair, pang-anim na ano. So, to me, if you ask me, my personal take on that is there's a deliberate refusal to attend this Committee hearing and there's a deliberate...deliberate way to frustrate the proceedings of this Committee, which, to me, gusto kong tanungin, how many times did they send us an excuse letter citing a travel authority? Kasi parang naa-abuse na po ito. I think it's time for this Committee, maybe, perhaps, to really evolve the way that we receive and accept these reasons kasi kailangan na natin... Tama nga iyong sinabi ni Cong. Jill, parang hindi na sila natitinag sa contempt order, eh.

THE CHAIRPERSON. ComSec.

REP. ADIONG. So, we don't want to set this as an example that anybody who does not like to attend—hindi ko alam kung whatever reason—dahil ayaw lang nilang sumagot sa Committee na ito ay gagamitin lang nila iyong convenient reason na nagkakaroon sila ng travel order...travel order, Mr. Chair.

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ComSec, how many times did they send us the ano, their excuse letter that they are on official travel?

THE ACTING COMMITTEE SECRETARY. Your Honor, from the time a subpoena *ad testificandum* was issued, so for...and successfully served from November 11 to today since there's a standing contempt. For the first four hearings, they sent position papers stating points that...why they are not attending, Your Honor. After that, travel orders na po, Your Honor.

REP. ADIONG. It's really bothering, Mr. Chair, because tinanong ko nga who really approves the travel order? And then it's obviously, Mr. Chair, that there's a...ano, there's a deliberate attempt to really frustrate the proceedings, and for this Committee to really find out kung ano talaga itong mga allegations na kinakaharap nila, ng opisina. Just to put that into record, Mister...my manifestation and my frustration as well, Mr. Chair.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize Congressman Keith Flores.

REP. JONATHAN KEITH T. FLORES. Mr. Chair, kanina pa tayo dito sa excuses nina Fajarda, eh, and since the Chief of Staff already mentioned that they are on official travel, may I know from the Chief of Staff exactly where the travel is of the spouses Fajarda?

MS. LOPEZ. Your Honor, Mr. Chair, as mentioned earlier, I was not able to see the travel authority of these individuals, Your Honor.

REP. FLORES. But would you know where the activities are supposedly...

MS. LOPEZ. We have...

REP. FLORES. ...where they were sent?

MS. LOPEZ. Yes. The Office of the Vice President is actually turning 89 years old, Your Honor.

REP. FLORES. I know, all right.

MS. LOPEZ. Yes.

REP. FLORES. Just give the place po, just give me the place.

MS. LOPEZ. I'm sorry. We are holding several activities across all our 10 satellite offices, Your Honor. So, we have in BARMM, we have...

REP. FLORES. Kaya nga, I just need where Fajarda and...the spouses Fajarda were sent today.

MS. LOPEZ. But, Your Honor, I cannot answer that because...

REP. FLORES. Who can answer it among the OVP people present?

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Atty. Sanchez.

MS. LOPEZ. Thank you.

MS. SANCHEZ. Mr. Chair, I have not seen the travel orders.

REP. FLORES. So, you don't know where these people went? They just disappeared or something?

MS. SANCHEZ. I have not seen the travel order, Sir, but...

REP. FLORES. Can you call the HR?

MS. SANCHEZ. Yes.

REP. FLORES. Where is the activity now, exactly what city, what town? Because this is my suggestion. The Sergeant-at-Arms is here, he coordinates with the Chief of Police at the town where they are holding the activity, then execute the...enforce the contempt order. Tapos, 'di ba? Para...kanina pa tayo, eh.

THE CHAIRPERSON. Thank you.

Puwede po bang maibigay ninyo sa amin iyong, ano, exact location ngayon ng activities?

MS. SANCHEZ. We will check, Mr. Chair.

THE CHAIRPERSON. Okay. Thank you po.

Now, just to give a short comment, 'no. It is the duty of public officers to appear before Congress or any of its committees. In fact, in the case of Balag versus Senate of the Philippines, G.R. No. 234608, dated July 3, 2018, the Supreme Court had the occasion to rule that the attendance is mandatory when so summoned by Congress, is underscored by the fact that failure to do so without legal basis is subject to criminal sanction, under Article 150 of the Revised Penal Code.

So, para lang po maunawaan ng ating mga kababayan, ito po ay ang hindi po pagdalo sa mga Committee hearing ng Kongreso ay puwede pong makasuhan ng kriminal dahil ito po ay tinatalaga ng batas na ang pagpunta dito ay mandatory para sa mga public officials.

Maraming salamat po. Mayroon pa po bang gustong magsalita?

Yes, ComSec, please continue.

THE ACTING COMMITTEE SECRETARY. Your Honor, I would like to recognize Vice Chairperson, Honorable Janette L. Garin from the 1st District of Iloilo; Honorable Rolando M. Valeriano, from the 2nd District of Manila; and from the Department of Education, Undersecretary for Operations, Mr. Revsee A. Escobedo is present.

Thank you, Your Honor.

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THE CHAIRPERSON. Thank you.

We will now proceed to the next item in our agenda. We will continue on the deliberation. The first to interpellate is—teka, saan na ba iyong listahan ko? Okay.

The Chair would like to recognize the first interpellator, Congressman Zia Alonto Adiong.

REP. ADIONG. *Bismillah al-rahman al-rahim as-salamu alaikum wa-rahmatullahi wa-barakatuh.* Magandang umaga po sa ating lahat.

Mr. Chair, I'd like to take off from the previous discussions that we had last November 5...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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REP. ADIONG. (Continuing)... November 5, Mr. Chair, where the Committee has already been...has already established numerous acknowledgment receipts from the Office of the Vice President, as well as from the office...ah, Department of Education. These...Various of these acknowledgment receipts bearing no names and only signatures, Mr. Chair, 'no. We have already established that in the last Committee hearing. There were even acknowledgment receipts, Mr. Chair, with names that repeatedly, 'no, hindi lang dalawang beses, even thrice, tatlong beses pong nag-a-appear ito sa mga diff...sets of acknowledgment receipts. May mga acknowledgment receipts din, Mr. Chair, na pare-pareho ang pagkasulat. Ah, at iyong iba, pare-parehong tinta ng kanilang ballpen na ginamit.

Now, there have been numerous other observations, Mr. Chair, which lead this Committee and at least this Representation to believe na mayroon talagang questionable iyong processes at mukhang gawa-gawa, 'no, itong mga acknowledgment receipts na ito, Mr. Chair.

So, since then, since we started discussing about the acknowledgement receipts, Mr. Chair, there were numerous inquiries from the public asking me kung how important these acknowledgment receipts are? So, pag-usapan po natin iyon and I think this is part of my manifestation before I go on to proceed...to proceed with my questions, Mr. Chair.

Ang mga acknowledgment receipts na po ito ay sumite ng...isinumite ng Office of the Vice President at ng Department of Education bilang documentary evidence of payment for the supposed expenses using confidential funds, Mr. Chair.

For the record and to answer the public, Mr. Chair, iyong buong kabuuan po ng confidential funds ng Office of the Vice President totaling 500 million pesos, as well as the confidential funds of Department of Education totaling 112.5 million. These amounts were liquidated...liquidated, Mr. Chair, solely through the acknowledgment receipts, totaling...with a grand total of 612.5 million of these public funds utilized na ginamit na ang binigay lang sa COA as a justification for the utilization of these confidential funds ay iyong acknowledgment receipts na marami ho tayong nakita in the previous hearings na medyo kwestyonable. Iba...Iyong iba ay to a point na nakakatawa, Mr. Chair.

And I would just like to cite an example and let me go back to the previous, again, acknowledgment receipt that was first observed by Chairman Romy Acop. How many acknowledgment receipts are we talking here, Mr. Chair, 'no?

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Based on my office count, there are almost 4,500 acknowledgment receipts na nanggaling po, in total, 'no, both nanggaling po sa Office of the Vice President pati na rin po galing po doon sa Department of Education when the Vice President concurrently holding the office as Secretary.

Roughly, 4,500; 2,670 from the Office of the Vice President submitted acknowledgment receipts; and 1,820 with no zero involve...no invoices, zero official receipts, 'no. Lahat po ito acknowledgment receipts na walang attachment or proof of identity, 'no, or the existent man lang na iyong supposed recipients nito ay buhay or totoong tao.

So, this is what we found out during the previous Committee hearings. And this is what, I think, the observant...observation of this Representation would like to find out.

May I...Again, let me go back to the previous discussion that we had at naging...nagkaroon din ito ng national traction, eh. May I request the ComSec to please flash the first acknowledgment receipt that was noticed by Chairman Acop. Iyan po, Mr. Chair. Iyong Mary Ann, ah, Mary Grace *(Laughs)* Piattos, 'no. Isa po iyan sa mga acknowledgment receipt na naisumite sa commission on...COA, Commission of Audit, na alam naman po natin na iyong pangalan na Mary Grace ay isang restaurant, iyong Piattos ay isang sitsirya, 'no.

If you ask me, medyo kwestyonable kung mayroon ba ho talagang taong nagngangalang Mary Grace Piattos. Now, we could not find out whether this Mary Grace Piattos is indeed a person or alive because there's no corroborate attachment to it other than the acknowledgment receipt na na-receive natin na pirmado niya.

So, Mr. Chair, this prompted, Mr. Chair, in fact, some of the Members here, and I guess, Members who came out with, ano, 'no, iyong pabuya na kung sino man iyong makakapagturo, Mr. Chair, sa taong ito na buhay, we are willing to provide 1 million pesos as a reward for anybody who can point us...to us whether this Mary Grace Piattos is indeed a person and if she's really around alive, 'no, Mr. Chair.

Also, Mr. Chair, another observation that I want to ask, I think it was also already mentioned during the previous hearings that there are names appearing in both the acknowledgment receipts from the OVP, and as well as from the Department of Education. Pero may isang pangalan na nag-standout sa akin among all the acknowledgment receipts na isinumite nila.

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So, Mr. Chair, just to maintain the confidentiality of the activities, assuming there were any such activities, Mr. Chair, I would just like to just show to you the signature of this particular acknowledgment receipt which I noticed, Mr. Chair, 'no.

May I request our ComSec to flash the second? Iyan po.

Ito po iyong acknowledgment receipt. Galing po iyan sa Office of the Vice President, iyong set po na isinabmit *(submit).* Ah, gusto ko lang pong tanungin ang ating...ang COA. Ah, Mr. Chair, is Mr. Camora present?

THE CHAIRPERSON. May we know if...

REP. ADIONG. Is she here?

THE CHAIRPERSON. ...if the representative from COA is present?

THE ACTING COMMITTEE SECRETARY. Atty. Camora is present.

THE CHAIRPERSON. Atty. Camora? Nasaan? Yes, Atty. Camora is present.

REP. ADIONG. Attorney...ComSec, can you please flash the...

You have already taken your oath, Ma'am, 'no, kasi several times ka naman um-attend, Atty. Camora, tama po ba? Yes. Can you...

THE CHAIRPERSON. Atty. Camora, please answer.

MS. GLORIA A. CAMORA (Attorney V, Intelligence and Confidential Funds, Audit Office, Commission on Audit). Ah, yes po, Mr. Chair.

REP. ADIONG. Nakita niyo naman po itong, ano, 'no, acknowledgment receipt, 'no?

MS. CAMORA. Ah, yes po, Mr. Chair.

REP. ADIONG. Sa palagay ninyo, nababasa ninyo po ba iyan, iyong pangalan diyan?

MS. CAMORA. Ah, it's... I think, Kokoy Villamin po.

REP. ADIONG. Yeah, Kokoy Villamin received on...ano ba iyan, nine, 'no?

MS. CAMORA. September. September 17.

REP. ADIONG. September 17, 2023, 'no.

So, itabi lang po natin iyan for the meantime. And I would like also to show you another acknowledgment receipt, this time from DEPED, Department of Education.

Mr. Chair, can we ask ComSec to...Yes. On the left side with black ink, that's from the OVP. On the other side is from DEPED. Puwede pakibasa po iyan iyan, iyong pangalan din po diyan sa DEPED?

MS. CAMORA. Ah, Mister...Parang parehas po, Mr. Chair, Kokoy Villamin.

REP. ADIONG. Parehas? Parehas po, 'no?

MS. CAMORA. Yes, Mr. Chair.

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REP. ADIONG. Oo. So, ibig sabihin…the point…the point that I'm trying to drive at, Mr. Chair, is that based on the documents and the acknowledgment receipts which we do not have any other ways really affirm whether these persons and individuals who have received the confidential fund were truly alive and truly person. Makikita po natin iyong medyo hindi po kapani paniwala. Ako, ordinary po ako na tao, I am not an auditor, but as you can see it, pareho po iyong pangalan nila—Kokoy Villamin. Iyong acknowledgment receipt from the Office of the Vice President and at the same time from the DEPED the same person—Kokoy Villamin from Ozamiz, 'no.

Sa pagkalagay…Sa palagay ninyo po ba iyan, kung titingnan po natin, Mr. Chair, sa palagay natin, common ba iyong pangalan na, Mr. Chair, Ms. Camora, iyong pangalan na Kokoy Villamin?

MS. CAMORA. Ah, Mr. Chair, parang hindi po since...hindi...para siyang nickname...

(MS. JOAN E. GRUTA TOOK OVER)

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MS. CAMORA. (Continuing)... para siyang nickname, iyong Kokoy po.

REP. ADIONG. So masasabi ninyo po ba, as a head or nag-a-audit noong intelligence confidential funds, audit office, masasabi niyo po ba iyan na isang person iyan?

MS. CAMORA. Puwede po, Mr. Chair.

REP. ADIONG. Puwede?

MS. CAMORA. Puwede po.

REP. ADIONG. Puwedeng isang person, 'no?

Is it just a coincident... coincidence that the same two offices, heading by the same person, submitting to you the same acknowledgment receipts can encounter two persons? How like... How unlikely would that be? Two persons with the same name, bearing the same spelling, same last name, with the same first name.... first name, posible ba po iyan?

MS. CAMORA. Medyo likely less possible po, Sir.

REP. ADIONG. Yeah, I think it's highly unlikely, Mr. Chair, na iyon po iyong mangyayari, 'no. Kung titingnan ninyo po ba iyan, Ms. Camora, iyong sulat po ba diyan, magkapareho?

MS. CAMORA. Hindi po.

REP. ADIONG. I think it's very obvious, Mr. Chair, that the signatures, Mr. Chair, on the one on... on the acknowledgment receipts submitted by the Office of the Vice President is quite ano, different from the acknowledgment receipt received by the Department of Education, 'no. Parehong pangalan pero mukhang magkaiba ang tinta. Mr. Chair, this is just one of the examples that we have received, 'no, from the ano... Office... from the COA, ano, iyong sinabmit *(submit)* po nilang acknowledgment receipt, Mr. Chair.

Now, is it true, Mr. Chair, that—I'd like to ask Attorney Camora—is it true, Mr. Chair, na magkaiba po iyong auditor noong sa OVP saka sa Department of Education iyong...

MS. CAMORA. Parang that time po...

REP. ADIONG. ...Iyong resident auditor po nila, magkaiba po, ano?

MS. CAMORA. Yes po, iyong resident auditor...

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REP. ADIONG. Yes, magkaiba.

MS. CAMORA. ...definitely magkaiba po.

REP. ADIONG. Kasi, kung iisa po iyong auditor nito, I think malalaman po nila ito and they will be flagged, 'no, kung bakit magkapareho iyong pangalan and magkaiba iyong signatures, exactly the same spelling and exactly the same family name, tama po ba?

MS. CAMORA. Tama po, Mr. Chair.

REP. ADIONG. Okay. Thank you very much.

So, I think, Mr. Chair, this is something that we should look into. The reason why I'm pointing this out, Mr. Chair, and for the public's, ano, information, ito po iyong pinag-uusapan natin dito dahil, unang-una po, with this kind of... itong pang-aabuso sa ganitong proseso ng pag-a-audit, naibibigay lang po nila is acknowledgment receipts, it gives us so many... it provides us so many... it opens up so many floodgates of questions which, I believe, iyon iyong pinakaimportante po na masagot dahil these are public funds utilized and these are funds na readily available for... for their request, tapos ganito iyong nakikita nating mga reports nila at saka iyong pag-acknowledge ng kanilang pag-utilize ng kanilang pondo. It's very obvious, Mr. Chair, na hindi lang po si Mary Grace Piattos ang nakita po nating kuwestiyonable, nakikita din po natin na may mga acknowledgment receipts, Mr. Chair, na pare-pareho iyong pangalan, na magkakaiba iyong date, na magkakaiba iyong kanilang pirma, Mr. Chair.

So, it begs the question now, how do we be able to supply answers to this question? But even... Because even if we ask COA here, mayroon bang attachment na sinabmit *(submit)* sa inyo to verify whether this was given as a way to purchase information or is it a reward payment for an information that is relevant to the activity of the Office of the Vice President or the DEPED in relation to Confidential Funds? Kasi magkaiba po iyan, eh.

MS. CAMORA. Mr. Chair, acknowledgment receipts po ang sinabmit *(submit)* nila and I'm... hindi...

REP. ADIONG. Acknowledgment receipt po, ano po iyan, that's the payment for information? Purchase of information or...

MS. CAMORA. Both po.

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REP. ADIONG. ...iyong reward?

MS. CAMORA. Both po, Mr. Chair, acknowledgment receipts ang sinabmit *(submit)* nila for both information and rewards. It's just that sa rewards po, may additional requirement lang po kaming hiningi.

REP. ADIONG. Yeah, but unfortunately, some of these acknowledgment report... acknowledgment receipts were not supported by a certificate of success, hindi ho ba? Kasi magkaiba po iyan, Mr. Chair, eh. Pag iyong purchase of information, regardless whether this information are useful or not, talagang bibilhin mo lang iyan, hindi ba? But the reward and payment for the information, dapat po iyan may certificate of success, hindi ho ba, doon sa agencies po na pinag-partneran, for example, ng inyong opisina. Tama po ba iyon, Attorney Camora?

MS. CAMORA. Tama po, Mr. Chair.

REP. ADIONG. And all... all of these acknowledgment receipts were being supported by the certificate of suc... success?

MS. CAMORA. Mr. Chair, iyong sa rewards lang po.

REP. ADIONG. Yeah, but not all of these... In this particular case na sinayt *(cite)* ko po sa inyo, are you familiar with this kind of ano, acknowledgment receipts or have you came across these particular questionable acknowledgment receipts?

MS. CAMORA. Iyan po iyong mga ni-review namin dati although, at that time, Mr. Chair, wala naman po sa...

REP. ADIONG. Yeah, that...

MS. CAMORA. ... ano namin na...

REP. ADIONG. ...that's why... yeah...

MS. CAMORA. ... maging unusual...

REP. ADIONG. ...that's why you have... that's why you have issued iyong observation memorandum ninyo it's precisely because they have failed to, at least, provide you the attachment to verify or at least to authenticate that, indeed, these funds that were used for a reward or payment of reward were not substantiated by a certificate of success, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

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REP. ADIONG. So, again, Mr. Chair, it begs us the question, gaano kalala iyong pag-aabuso dito sa Office... Confidential Funds? I think we have just started unearthing all of these problems and all of the questionable, ano, acknowledgment receipts. I think this is just the tip of the iceberg, Mr. Chair. If we go deeper into this, mukhang widespread po ang nangyaring, ano, pag-aabuso sa pondo po ng ating gobyerno, Mr. Chair, insofar as the utilization of Confidential Funds is concerned on both the Department of Education and the Office of the Vice President. Hindi lang ho si Mary Grace ang... sabi ko nga po, hindi lang ho si Mary Grace Piattos po ang kuwestiyonable dito, meron din pong mga pangalan na pare-parehong nag-a-appear po on both acknowledgment receipts, Mr. Speaker, coming from the Office of the Vice President, as well as from the Department of Education.

Mr. Chair, just a manifestation, and I believe there are questions relating to this that my colleagues would also like to ask the COA, and I would yield to my colleagues to further inquire kung paano po ito nakalusot at saka ano po talaga iyong nature ng pagbibigay ng acknowledgment receipts, which I believe to my mind, Mr. Chair, is open to abuse, Mr. Chair, and then iyong process po ng pag ganito... kung ganito, if we allow this to continue on, talagang maaabuso at prone talaga po sa mismanagement ng pondo na binibigay po sa mga ahensiya, particularly, Mr. Chair, ito pong discussion natin ng utilization ng Confidential Funds ng Department of Education while the Vice President was still holding as a... the agency as the Department Secretary.

Marami pong salamat, Mr. Chair, and thank you, Attorney Camora.

THE CHAIRPERSON. Thank you, Honorable Zia Alonto Adiong.

The next to interpellate is Congresswoman Janette Garin.

REP. JANETTE L. GARIN. Thank you very much, Mr. Chair.

Since the Honorable Manuel went for a quick meeting, allow me to pursue the line of questioning of the Honorable Zia.

Kanina po, Mr. Chairman, may pinakitang acknowledgment receipt, may I pose... if I may be allowed to pose the question to Congressman Zia, Mr. Chair? Okay lang po ba?

REP. ADIONG. Do... Do we... Do we allow that, Mr. Chair? *(Laughs)*

REP. GARIN. Very... Very quickly lang, very quickly.

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REP. ADIONG. Yes po, Ma'am.

REP. GARIN. With the permission of the Chair.

Kanina po kasi sinabi niyo acknowledgment receipt, ang ibig po bang sabihin nito ay pagpirma mo na ikaw ay nakatanggap ng pera?

REP. ADIONG. Tama po ba... tama po iyon.

REP. GARIN. So, pera siya. Hindi siya gamot, hindi siya pagkain, hindi siya bahay, pera.

REP. ADIONG. Yes, tama po iyon. Iyong acknowledgment receipts na binigay po nila sa COA.

REP. GARIN. At itong tinanggap na pera ay para po saan?

REP. ADIONG. Doon po sa... in connection with the utilization of their ano, Confidential Funds po, Mr. Chair, Your Honor.

REP. GARIN. Okay. That's why I was asking, Mr. Chair, kasi narinig ko kasi iyong salita "libo-libong acknowledgment receipt". Did I get it right?

REP. ADIONG. That's correct, Mr. Chair, Your Honor. Actually, based on our account, meron pong sinabmit *(submit)* na 4,500 acknowledgment receipts...

REP. GARIN. Four thousand five hundred acknowledgment receipts.

REP. ADIONG. That's...That's in total... both from the Office of the Vice President...

REP. GARIN. How many people?

REP. ADIONG. ...And I presume...

(MS. EMERITA E. AVILA TOOK OVER)

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REP. ADIONG. (Continuing)...I presume for each individual. That's...that's...

REP. GARIN. So, magkakaiba iyong pangalan, Mr. Chair?

REP. ADIONG. Parang may pagkakapare-pareho nga, eh...

REP. GARIN. Okay.

REP. ADIONG. ...Mr. Chair, eh, as I already showed.

REP. GARIN. So, Mr. Chair, I just posed that question. So that in the next review of the Honorable Zia, maybe he can look into the 4,500 acknowledgement receipts, kung ito ba ay 4,500 na tao, or these are 4,500 acknowledgement receipts covering how many people. Iyan lang po kasi para po medyo...

REP. ADIONG. Yeah.

REP. GARIN. ...maliwanagan ako doon sa presentation.

My next question, Mr. Chair, to our distinguished resource person from COA. She mentioned that she perused over these documents, so I'm not sure, Mr. Chair, if it's COA who can answer or somebody else from our resource person. Sino po...kasi acknowledgement receipt, ina-acknowledge mo na natanggap ka, sino po ang nagpapatanggap? Who releases the money?

THE CHAIRPERSON. Atty. Camora.

MS. CAMORA. Mr. Chair, it is the...supposed to be the SDO, the Special Disbursing Officer.

REP. GARIN. Ilan po ang SDO, Mr. Chair?

MS. CAMORA. Sa case po ng OVP, Mr. Chair, isa. And sa case po ng DEPED is isa din po.

REP. GARIN. In a span of how many months or days or weeks po napa-release ng dalawang SDO iyong 4,500 na acknowledgement receipts?

MS. CAMORA. I think iyong 4,000 po is for the total of the... from 2022 ng OVP, 2023 ng OVP, and 2023 po ng...

REP. GARIN. So, if we just reckon on the date, Mr. Chair, so... Kasi nakita ko lang, pasensiya na, medyo hindi ko kasi nakita lahat ng papel, I'm just basing on what I saw. Tama po ba iyong prinesent *(present)* ni Cong. Zia mayroong date, may date ba sa baba?

MS. CAMORA. Yes, Mr. Chair.

REP. GARIN. Iyong sa acknowledgement receipt, may date.

MS. CAMORA. Yes, Mr. Chair.

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REP. GARIN. So, kung ako po ang SDO at magpapa-receive ako, doon po sa dates, iyong inclusive dates, paano po ba? Like, ilang tao ang magrere...ang tatanggap doon sa isang SDO?

MS. CAMORA. Ang presumption ko diyan is iyong taong tumanggap noong payment is siya iyong nandiyan pong received by. So, one...

REP. GARIN. Pardon me, Mr. Chair.

MS. CAMORA. ...one ano po, one person iyong one acknowledgement receipt.

REP. GARIN. Precisely. What I'm referring to is, iyong acknowledgment receipt hindi ba may mga dates?

MS. CAMORA. Yes, Mr. Chair.

REP. GARIN. So, ang nagpapa-receive isang tao lang. Kunwari, Ma'am Attorney, ikaw iyong SDO. Ibig ba sabihin ng SDO, ikaw ang nagpapatanggap ng pera. Tama po ba?

MS. CAMORA. Yes, ideally po.

REP. GARIN. Okay.

MS. CAMORA. Supposed to be po.

REP. GARIN. So, do... Ah, ideally and supposed to be.

MS. CAMORA. Supposed to be po.

REP. GARIN. In this case, hindi po ang SDO ang nag-release ng pera, sa pananaw niyo?

MS. CAMORA. I think mayroon po silang certification na sila po iyong...sila po iyong nagre-release ng pera.

REP. GARIN. And in this case, Madam, Mr. Chair, iyong SDO po ay sino, if we can hear the name again?

MS. CAMORA. Sa OVP po is Gina Acosta and sa DEPED po is Mr. Edward Fajarda.

REP. GARIN. Sorry, Ma'am.

MS. CAMORA. Sa OVP po is Ms. Gina Acosta and sa DEPED po is Mr. Edward Fajarda.

REP. GARIN. So, ganoon po pala kaimportante, Mr. Chair, bakit hinahanap natin si Ma'am Acosta at si Ginoong Fajardo...

MS. CAMORA. Fajarada.

REP. GARIN. ...Kasi this will solve all the problems. Malay mo, eh, totoo naman palang sila ang nagpatanggap at totoong tao si Kokoy at si... iyong mga

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minensyon *(mention)* niyo. So, kung ganoon, kung wala naman tayong tinatago, mas mararapat talaga, it will be better to request them to appear so that all these questions will be answered. And kung wala namang mali, 'di matapos ito at itong ating mga butihing kawani sa gobyerno ay makabalik sa kanilang opisina at makapagtrabaho. Kasi sayang iyong oras na ang dami nating pinag-uusapan but, unfortunately, iyong dalawang taong may kasagutan sa tanong na ito ay tila hindi mahagilap. That's...that's my understanding.

So, with that, Mr. Chair, may I again ask our Commission on Audit representative, or any resource person for that matter. Kapag ang SDO, puwede po ba niyang i-delegate iyong kaniyang function? Ibig sabihin, puwede niya bang i-delegate ang pagpatanggap ng pera?

MS. CAMORA. Mr. Chair, as far as I know, pagka-designated po, hindi na po puwedeng i-delegate, especially since sa case po ng intel and confidential funds, mayroon po silang pinipirmahang certification na sila po iyong nag-disburse.

REP. GARIN. Dapat sila lang ang mag-release, hindi puwedeng ipa-release sa iba kasi baka mamaya hindi nila kaya.

MS. CAMORA. Yes, Mr. Chair.

REP. GARIN. Can the head of office, let's say, in this case the DEPED Secretary or the Vice President, designate more than one SDOs? Ano po ba ang batas?

MS. CAMORA. Puwede naman pong mag-delegate ng more than one SDOs as long as the SDOs are bonded po.

REP. GARIN. So, in this case, puwede naman na hindi lang si Ma'am Acosta, hindi lang si Ginoong Fajardo, puwedeng kumuha sana ng maraming SDOs para hindi maging nakakapagtaka iyong pag-disburse ng 4,500 acknowledgement receipts. Tama po ba?

MS. CAMORA. Tama po, as long as isa-submit po lahat ng requirements like iyong...iyong proper designation po ng SDO, iyong bonding po niya.

REP. GARIN. So, it's possible na para hanapan mo ng solusyon iyong ganitong para...iyong ganitong sistema, puwede kang mag-designate ng maraming SDO, unless you only trust one person, unless mayroong mga bagay na ayaw din ng iba iyong risk, unless it's also very difficult for that person to let somebody sign kung hindi niya kakilala.

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So, Mr. Chair, pasensiya na po, medyo foreign po sa akin kasi ang confidential fund. Paano po ba ito? Let's say, galing... These are all from taxpayers' money, tama po ba?

MS. CAMORA. Yes, Mr. Chair.

REP. GARIN. So, galing po sa kaban ng Pilipinas, paano po ito nailalabas?

MS. CAMORA. Kung sa national government agencies po, nasa GAA po nila. 'Pag sa GOCCs po, dapat nasa operating budget...corporate operating budget po nila. And for LGUs, Ma'am...

REP. GARIN. Okay. From that, Ma'am, okay, nasa GAA, nasa budget siya, paano siya nailalabas? Let's say, tapos na iyong budget. Let's say, you are the vice... let's say, you are the head of office. Kapag ikaw po ang head of office, paano po mailalabas ang confidential funds?

MS. CAMORA. Kung okay naman po iyong documentation from DBM, kina-cash advance po siya ng SDO.

REP. GARIN. So, kina-cash advance siya?

MS. CAMORA. Yes, Mr. Chair.

REP. GARIN. And in this case, ang nag-cash advance ay iyong SDO talaga?

MS. CAMORA. Yes, Mr. Chair.

REP. GARIN. Paano niyo pa iyon ika-cash advance talagang cash?

MS. CAMORA. I presumed cash po siya since...

REP. GARIN. Cash siya, oo. Hindi po ba iyon delikado kung iisang tao lang?

MS. CAMORA. Accountability po noong SDO iyon. So...

REP. GARIN. No, what I mean is kunwari magka-cash advance ka, ang pagkaintindi ko ng cash advance ay kukuha ka ng pera.

MS. CAMORA. Yes, Mr. Chair.

REP. GARIN. We're talking of how much...

MS. CAMORA. Millions.

REP. GARIN. ...Mr. Chair, Your Honor?

MS. CAMORA. Millions po usually pagka confidential.

REP. GARIN. Puwede po natin maibigay iyong tamang amount? Kasi 'pag sinabi nating millions—puwedeng 5 million, puwedeng 1 million.

MS. CAMORA. For example po, sa case po dito...

REP. GARIN. In this case...in this case.

MS. CAMORA. ...kay OVP, 125 million po, or sa DEPED po, 37.5 million.

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REP. GARIN. One hundred twenty-five million. Ibig sabihin, iyong pag-cash advance, buo na 125, or baka tingi-tingi, sa nakita niyo pong dokumento?

MS. CAMORA. Based sa documents po nila, Mr. Chair, buo siya since buo po iyong check na sinabmit *(submit)* nila.

REP. GARIN. So, ibig sabihin, iyong opisina magbibigay ng pera sa iisang tao na 125 million. At iyong tao na iyon ay mamimigay din sa mga nandoon sa parang recipients, ano, ng kanilang mga... In this case, sino po ang tao na sinasabi natin iyong kumu...iyong nag-encash ng 125 million?

MS. CAMORA. Iyong SDO po, since siya po iyong nandoon...

REP. GARIN. Anong pangalan po, Mr. Chair?

MS. CAMORA. Sa case ng OVP po is Gina Acosta po.

REP. GARIN. So, si Ma'am Gina Acosta, pumunta sa bangko, dala-dala ang tseke 125 million na cash ang ipinalit.

MS. CAMORA. Yes...yes, Mr. Chair.

REP. GARIN. Mr. Chair, may...may I just be appraised, pasensiya na po. Kasi sa pagkaalam ko pagka nasa bangko ka at nagwi-withdraw ka or nag-i-encash ka, hindi po ba limited po ang kanilang cash?

THE CHAIRPERSON. Maybe we can ask a representative from the Land Bank...

REP. GARIN. Yeah.

THE CHAIRPERSON. ...to answer the query.

REP. GARIN. Just to clarify, Mr. Chair, ha, I'm just looking at the possibility. I'm not pointing any accusation. Talaga bang may nilabas bang pera or baka mamaya wala namang nilabas na pera at naiwan iyong pera doon? Kasi I'm hearing acknowledgement receipts so maybe we can ask from... Anong bank po, Sir...Ma'am?

MS. CAMORA. Land Bank po, Mr. Chair.

THE CHAIRPERSON. Do we have a representative from Land Bank? Could you please...

(MR. JEFFREY C. OVILLA TOOK OVER)

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THE CHAIRPERSON. (Continuing)...could you please state your name and your position.

MS. NENITA P. CAMPOSANO. (Department Manager/Bureau Head, Land Bank of the Philippines – DOTr Branch). I am Nenita Camposano, the Department Head of DOTr Branch. I was part...

REP. GARIN. Pardon me, Mr. Chair. Can...Ano? Paki ulit po, Ma'am.

MS. CAMPOSANO. I am Nenita Camposano, Department Head of the DOTr Branch of Land Bank. I was formerly...

THE CHAIRPERSON. You have taken your oath already, right?

MS. CAMPOSANO. Yes po.

THE CHAIRPERSON. Yes, tama.

REP. GARIN. So...

THE CHAIRPERSON. Please continue, Congresswoman.

REP. GARIN. Ma'am, sa...magkano po ang usual na cash na nasa bangko po ninyo at any given time?

MS. CAMPOSANO. Different branches have different...

REP. GARIN. Hindi, in your...you can probably speak in behalf of your branch.

MS. CAMPOSANO. I mentioned before that the CIV level of the DEPED...the DEPED Branch, where I was formerly the Department Manager...

REP. GARIN. Paki ano po, CIW? Ano iyong sinabi ninyo po?

MS. CAMPOSANO. The cash in vault, sorry.

REP. GARIN. Okay.

MS. CAMPOSANO. Oo, the cash in vault level...the cash level of our vault, as I mentioned in the previous hearing, is 10 million.

REP. GARIN. So, ibig pong sabihin, at any given time, ang ibig sabihin ng "cash in vault," iyong available na pera sa bangko ay 10 million?

MS. CAMPOSANO. Ah, no, Your Honor, that is the maximum, but we don't store cash at...that much.

REP. GARIN. Ah, 10 million is the maximum...

MS. CAMPOSANO. Maximum.

REP. GARIN. ...but you don't store for purposes of safety.

MS. CAMPOSANO. Security. Yes, Ma'am.

REP. GARIN. Okay. So, magkano po usually, Ma'am, average?

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MS. CAMPOSANO. Ah, 5 to 6?

REP. GARIN. Five to six million. So, you can say that the highest will be 10, it can be 3, it can be 4, and the average is 5?

Is this true na iyong SDO ay nag-encash...Was it encashed or nag-encash ng 125 million at one time?

MS. CAMPOSANO. Ah, I was with DEPED Branch, Ma'am. The OVP is with our Shaw Boulevard Branch.

REP. GARIN. Ah, okay. So, can...

THE CHAIRPERSON. Do we have a representative from Roxas Boulevard...

MS. CAMPOSANO. Shaw Boulevard.

THE CHAIRPERSON. ...Branch? Shaw Boulevard or Roxas?

MS. CAMPOSANO. May I be excused, Your Honor?

REP. GARIN. So, while waiting for the other manager...

THE CHAIRPERSON. Sige po.

REP. GARIN. So, sa inyo po, Ma'am, at one time, is 3 to 5 or 10 million? And...For sa DEPED, magkano po ang ini-encash ng SDO?

MS. CAMPOSANO. Ah, this particular check, Ma'am, 37.5 million.

REP. GARIN. So, paano ninyo po nagagawa iyon? Kasi 5 to 10 million lang iyong cash on vault ninyo?

MS. CAMPOSANO. We require our clients to tell us the amount to be withdrawn two days or one day before the encashment.

REP. GARIN. So, two days or one day before, pinapa-prepare iyong...Ah, okay.

And, in this case, who made the call?

MS. CAMPOSANO. It was the Cash Division of the Department of Education.

REP. GARIN. Cash Division of the Department of Education. Specifically, sino po?

MS. CAMPOSANO. Usually, it's, ano, Ma'am Sonia De Leon who calls...

REP. GARIN. Pardon me?

MS. CAMPOSANO. It was Ms. Sonia De Leon who calls us for the reservation.

REP. GARIN. So, si Sonia...Ma'am Sonia, Mr. Chair, is not here.

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And is this a regular occurrence, Ma'am? Ito ba ay pangkaraniwan na nangyayari, iyong 37.5 o iyong malalaking amount, na ini-encash? Pangkaraniwan naman ito?

MS. CAMPOSANO. Yes, Ma'am.

REP. GARIN. So, pangkaraniwan ito sa inyo.

Usually po, para po saan?

MS. CAMPOSANO. Ah, we don't know, Ma'am. We are not privy to the ano, to the DEPED's activities.

REP. GARIN. So, pangkaraniwan ito na wini-withdraw ng DEPED?

MS. CAMPOSANO. No. No, I'm not saying with the DEPED only, but with all our clients, Ma'am.

REP. GARIN. Your clients are government or private clients?

MS. CAMPOSANO. Both, Ma'am.

REP. GARIN. Both.

So, in the case of DEPED, pangkaraniwan po ba ang nagka-cash advance ng 37.5?

MS. CAMPOSANO. No, Ma'am.

REP. GARIN. Ano po, Mr. Chair?

MS. CAMPOSANO. No, Your Honor.

REP. GARIN. So, pangkaraniwan po siya, Mr. Chair, or hindi?

MS. CAMPOSANO. With the DEPED. With the...With the DEPED, no.

REP. GARIN. Yes po.

MS. CAMPOSANO. No. No, Ma'am.

REP. GARIN. Okay. And maybe, Mr. Chair, we can ask the Land Bank Manager of the other branch.

THE CHAIRPERSON. Ma'am, before you...before we address the Land Bank Manager of other branch, gusto ko lang pong magdagdag ng tanong.

MS. CAMPOSANO. Yes po.

THE CHAIRPERSON. Ilang occasion po kayo na nakapag-withdraw ang DEPED ng 37.5 one time?

MS. CAMPOSANO. Ah, three occasions po.

THE CHAIRPERSON. Three occasions, okay.

Thank you po.

MS. CAMPOSANO. Thank you, Sir.

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THE CHAIRPERSON. Ma'am, puwede po bang paki state ninyo iyong pangalan ninyo at saka iyong position ninyo?

MS. JEAN G. ABAYA (Acting Department Manager, Land Bank of the Philippines – Shaw Boulevard Branch). I'm Jean G. Abaya.

THE CHAIRPERSON. Ma'am, paki lapit po iyong ano, iyong mic.

MS. ABAYA. Good morning po to everybody and to all our officer. Jean Abaya po from Land Bank – Shaw Boulevard Branch. I'm the Department Manager, and assumed the position only as of January 2024.

REP. GARIN. So, Mr. Chair, is the good manager here now was also the manager present? I'm really sorry, hindi ko po alam iyong date noong encashment na nasabi ni Atty. Camora.

So, Ma'am, covered ba noong tenure ninyo itong encashment ng 125?

MS. ABAYA. The one check is negotiated with Shaw Boulevard 2022, and the other three checks were negotiated 2023.

REP. GARIN. Wala pa po kayo noon, Ma'am?

MS. ABAYA. I'm not the Department Manager, but I'm also assigned at Shaw Boulevard being the Branch Operation Officer.

REP. GARIN. So, Mr. Chair, matanong po natin sa ating Land Bank representative, itong okasyong ito, ilang beses po nagkaroon ng encashment ng hundred twenty-five million?

MS. ABAYA. Ah, four times po siya.

REP. GARIN. Four times. Sabay-sabay po iyon? Buo iyong hundred twenty-five million or kinukuha as the need arises or base doon sa pangangailangan?

MS. ABAYA. Ah, one time po for each check.

REP. GARIN. One time for each check.

Sino po ang nagpupunta?

MS. ABAYA. Mismong payee po.

REP. GARIN. Sino po ang payee, Ma'am, Sir, Mr. Chair?

MS. ABAYA. Gina Acosta.

REP. GARIN. So, kaya pala, Mr. Chair, habang ako ay wala pa dito, naririnig ko na lahat kayo nagagalit na noong wala si Ma'am Acosta dahil nga siya ang makakasagot ng karamihan ng tanong dito. Is that our understanding, Mr. Chair? Tama po ba?

THE CHAIRPERSON. Tama po kayo, as SDO.

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REP. GARIN. Okay. So, Ma'am, pagka nag-encash ka ng hundred twenty-five million, magkano po ang pala...iyong average na pera na nasa bangko?

MS. ABAYA. The amount is not sufficient for that hundred twenty-five. So, we ask the client...

REP. GARIN. Pasensiya na po, Ma'am. Okay lang pong Tagalugin *(Tagalog)* natin para po medyo mas...

MS. ABAYA. Ah, sige po, Ma'am.

REP. GARIN. ...maintindihan?

MS. ABAYA. Ah, iyon pong limit ng aming vault may not be sufficient kung ang pinag-uusapan po natin is iyong hundred twenty-five million. So, per ano po namin, we request our client po na magpa-reserve for us to prepare po iyong cash requirement of our client before the encashment, the day of encashment.

REP. GARIN. So, in this case, mayroon namang nagpa-reserve?

MS. ABAYA. Ah, mayroon po.

REP. GARIN. Sino po, Mr. Chair?

MS. ABAYA. Ah, from the agency po?

REP. GARIN. Sino po kaya from the agency?

MS. ABAYA. Since that time kasi po, I was not in the position po to...na mag-accept noong reservation. I will check po doon sa record namin sa branch.

REP. GARIN. Pare-pareho bang tao ang nagpapa-reserve or hindi naman?

MS. ABAYA. Generally po, from the Cash Division po of the agency, but I cannot disclose iyong exact name or person.

REP. GARIN. Bakit po, Mr. Chair?

MS. ABAYA. Ma'am, I'm sorry po, kasi by that time nga, as I've said earlier po, na I'm not the Branch Head during that time, and mostly kasi, either po the branch head or iyong cashier po namin ang puwedeng mag-receive noong reservation of the cash.

REP. GARIN. Pero alam ninyo po kung sino ang nagpapa-reserve?

MS. ABAYA. Hindi po...

(MS. ERLINDA C. REYES TOOK OVER)

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MS. ABAYA. (Continuing)...Hindi po.

REP. GARIN. Kasi isang branch lang. So, puwede niyo pong matanong, Mr. Chair?

THE CHAIRPERSON. Ma'am, nandirito po ba iyong branch head during that time? Nandirito po ngayon?

MS. ABAYA. Wala po siya, Chair.

THE CHAIRPERSON. Ah, wala. Okay.

MS. ABAYA. Retired na po siya.

THE CHAIRPERSON. Retired na. Okay.

REP. GARIN. So, maybe, Mr. Chair, we can invite the former branch chair?

THE CHAIRPERSON. Would you like to... ano po ba ang pangalan niya?

MS. ABAYA. Iyong former manager po?

THE CHAIRPERSON. Yes. Noong December 2022 up to September 2023.

MS. ABAYA. Violeta Constantino po.

THE CHAIRPERSON. Violeta?

MS. ABAYA. Constantino.

THE CHAIRPERSON. Constantino.

REP. SUAREZ. Mr. Chair, I move that we invite Mrs. Constantino in our next hearing.

THE CHAIRPERSON. Is there any second to the motion?

REP. GARIN. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. GARIN. So, Mr. Chair, the reason why I'm asking this, nadoon kasi iyong risk. Iyong risk noong tao. For all we know, kawawa rin naman si Ma'am Gina Acosta, napupunta siya, eh, delikado ang buhay niyan. Kasi 125 million cash is not a joke sa... Ito po ay apat o limang beses na bumabalik-balik siya, Mr. Chair, Your Honor?

MS. ABAYA. Four times po since iyong check po na-issued is four.

REP. GARIN. So, mag-isa lang talaga siya na pumupunta or mayroong mga kasama?

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MS. ABAYA. May mga kasama po.

REP. GARIN. May mga kasama. Nakikilala niyo ang mga kasama niya?

MS. ABAYA. No, Ma'am.

REP. GARIN. By face, makikilala po?

MS. ABAYA. Hindi na po, Ms. Chair.

REP. GARIN. Ano po iyong sasakyan na ginagamit nila?

MS. ABAYA. We're not aware po kasi po iyong parking hindi naman po namin...

REP. GARIN. Kasi, 'di ba, iyong pera nasa loob ng bangko?

MS. ABAYA. Yes.

REP. GARIN. Maglalabas ka ng pera sa labas, isasakay po ba natin sa tricycle, Mr. Chair?

MS. ABAYA. Hindi po. It's... Since over-the-counter transaction po siya, after release po kasi ng bank sa client, it's call na po ni client where... kung saan po nila ilalagay.

REP. GARIN. Ma'am, can you please speak closer to the microphone?

MS. ABAYA. Hindi na po namin tsine-check or mino-monitor iyong... iyong kung anong car po or vehicle po...

REP. GARIN. Sino po, Mr. Chair, Your Honors, iyong naghahakwat?

MS. ABAYA. Sila po mismo, iyong mga client.

REP. GARIN. Ibig sabihin wala pong taga-bangko ang naghahakwat or nagpapalabas?

MS. ABAYA. Wala po.

REP. GARIN. It's just quite unusual, Mr. Chair, that the branch manager who's present here now seems to have probably a temporary amnesia on what has happened. Kasi napaka-imposible pong maglalabas ka ng 125 million cash, apat na beses, ni hindi mo lang titingnan kung ano iyong paglalagyan at ni hindi mo tutulungan iyong kliyente na maglabas ng pera. Kasi, syempre, alam mong it can invite perpetrators, either ma-hold up, either pasukin iyong branch. Kung ganyan po ba, Ma'am, nila-lock iyong branch or parang open to all lang?

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MS. ABAYA. Ms. Chair, hindi naman po. Iyong doon sa lalagyan, Ma'am, nakikita naman po namin kasi from the teller, ire-release po iyong money. So, the teller nakikita niya po kung saan ilalagay iyong... iyong... iyong money. So, iyong doon sa paglabas po from the... since malaki po iyong amount, so, from the release po, parang dapat wala na pong touch ang... ang one of the personnel since po ilalabas na po siya sa... sa bank. So, ang ano po namin doon...

REP. GARIN. Dumadaan siya ng teller? Bale doon iyong teller, iyong parang may mesa po na ganoon, Ma'am? Bale iga-ganoon mo po?

MS. ABAYA. Actually, nire-request naman po iyon ni client na dapat doon sa discreet place. So, nire-re... since malaki po iyong amount, nire-release po namin siya at the back of the teller.

REP. GARIN. Sorry, Ma'am, at the?

MS. ABAYA. Back of the teller po. Iyong medyo discreet po iyong... iyong... iyong area para hindi po naka-expose sa tao.

REP. GARIN. Hindi niyo tinitingnan iyong risk noong empleyado ng gobyerno na kumukuha siya ng malaking cash, eh, baka mamaya masaksak iyan paglabas ng bangko?

MS. ABAYA. Nasa likod niya po. Back of the teller po. Nasa backroom po ng teller.

REP. GARIN. Back ng teller. Iyong dinadaanan niya, iyong pa rin iyong main door or mayroong ibang daanan?

MS. ABAYA. Iyong exit... Iyong entrance and exit, isa lang po iyong doon sa case po ng Shaw Boulevard Branch.

REP. GARIN. So, doon din lumalabas?

MS. ABAYA. Yes, Ms. Chair.

REP. GARIN. At ang naghahakwat noon ay iyong kliyente na mismo?

MS. ABAYA. Opo, kasi may mga kasama naman po sila na na ano... na...

REP. GARIN. Hindi niyo po kilala iyong mga kasama?

MS. ABAYA. Hindi po, Ms. Chair.

REP. GARIN. Hindi niyo naman hinahatid iyong pera papunta sa opisina, sa DEPED?

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MS. ABAYA. Hindi po, Ms. Chair.

REP. GARIN. Pero puwede siyang ihatid, Mr. Chair?

MS. ABAYA. Hindi po, Ms. Chair.

REP. GARIN. Bakit po? 'Di ba mayroon kayong armored vehicle?

MS. ABAYA. Wala po kasing kaming MOA with regards to the delivery of the cash to the client.

REP. GARIN. Walang?

MS. ABAYA. Wala po kaming memorandum of agreement with them. So, talagang over the counter...

REP. GARIN. So, lahat po ng... kung ihahatid dapat may MOA?

MS. ABAYA. If we will be using the armored car po, Ms. Chair.

REP. GARIN. Hindi na kung for purposes of safety. Kasi kawawa naman iyong mga empleyado at kawani ng gobyerno kung, malay mo, eh, may pag-interesan sila, hindi niyo hinahatid ng armored vehicle papunta doon sa opisina para naman safe sila?

MS. ABAYA. Iyon po, kung mayroon po kaming ano, memorandum of agreement. Kasi iyong armored car is need po ng...

REP. GARIN. Sino po iyong teller na nag-release ng pera?

MS. ABAYA. Teller po ng branch?

REP. GARIN. Yes, Mr. Chair.

MS. ABAYA. Ms. Chair, since four checks po ang issued check for negotiation, iba-ibang teller po iyong nag-issue.

REP. GARIN. So, iba-ibang teller diyan?

MS. ABAYA. Oo. So... So, in our case, tatlong tellers po iyong iba-ibang nag... nag-serve.

REP. GARIN. Okay. At usually, ilang... Is this usual for Land Bank?

MS. ABAYA. In case po ni Shaw Boulevard, that large amount, hindi po siya usual kasi hindi naman po lahat ng client namin nag-e-encash ng ganong kalaking amount.

REP. GARIN. Unusual po siya sa pananaw niyo?

MS. ABAYA. Opo, Ms. Chair.

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REP. GARIN. Yeah. Mr. Chair, the reason why I'm asking this is we're putting the risk of our government officials and our government employees. Imagine, magwi-withdraw ka ganyan kalaki, cold cash. Maybe in aid of legislation, there can also be a cap kasi puwede naman na maraming SDOs or puwede naman ito ginawang every other week, iyong pag-disburse. At saka ang tanong rin... There are just a lot of questions, Mr. Chair, because, if you get 125 million cash and you bring it to an office, a government office, may vault ba iyong government office?

Maybe we can ask the representatives from OVP? Mayroon po tayong vault doon, Ma'am, Mr. Chair? Wala na? Can the finance chief answer, Mr. Chair?

REP. SUAREZ. Yes, Attorney Sanchez or Attorney Lopez?

MS. SANCHEZ. Mr. Chair, we have a vault for our Cash Division, but that is not the same vault being used by the SDO. So, I am not aware if there is a separate vault used by the SDO.

REP. GARIN. Si Ma'am Attorney Zuleika, mayroon po?

MS. LOPEZ. Your Honor, I am aware of a vault in the... as mentioned by the Director for Finance and Admin, for cash. It's used for, I think, I understand, payroll and other...

VOICE. Petty cash fund.

MS. LOPEZ. ...and petty cash fund.

REP. GARIN. It's used for payroll...

MS. LOPEZ. Payroll...

REP. GARIN. ...Hindi po ba online na po ang payroll natin, Ma'am?

MS. LOPEZ. Yes, Ma'am. I'm sorry. May I refer this matter to our Chief Accountant and Director for Admin and Finance?

MS. SANCHEZ. Ma'am, just to add... Mr. Chair, just to add to what I mentioned earlier, the pa... the vault for the Cash Division is being used for... primarily for petty cash fund, but there are also some items, for example, clothing allowance, Your Honor, which are paid in cash to employees.

REP. GARIN. In your experience, is it safe to take 125 million cash from the bank and transfer it to your office? Risky po ba iyon sa inyo? Puwede po ba kayong

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pasukin? May capability ba kayo na i-deter iyong mga possible untoward incidents kung saka-sakaling mangyari, palayo naman sana at buti hindi nangyari?

MS. SANCHEZ. Mr. Chair, in terms of the security arrangements in the office, we regularly coordinate with the Vice-Presidential Security and Protection Group for a security assessment, and we take their recommendations. For example, if they advise us to add additional blue guards, we take their recommendations...

(MS. MA. LUISA M. RAMIREZ TOOK OVER)

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MS. SANCHEZ. *(Continuing)*...recommendations and apply it. But we defer to their assessment.

REP. GARIN. So, in this case, Mr. Chair, iyong apat na beses na kumukuha kayo ng cash na 125 million sa Land Bank at nililipat sa Opisina ng Vice President, ano po ang naging security measures na ginawa ninyo?

MS. SANCHEZ. Mr. Chair, I apologize but I do not have personal knowledge on the specific security measures undertaken.

REP. GARIN. Can you speak closely to the microphone, please?

MS. SANCHEZ. Yes. Sorry, Mr. Chair.

Mr. Chair, I do not have personal knowledge on the specific security measures undertaken after the check was released.

REP. GARIN. Alam ninyo po kaya...maybe the Chief of Staff or the finance, would you know sino po ang driver noong sasakyan na kumukuha noong pera?

MS. LOPEZ. Your Honor, I am not really privy to financial matters in the office. My role really as Chief of Staff is based purely operations. So, I think, the better person to answer really for admin and financial concerns would be Director Lyn Sanchez.

REP. GARIN. Director Lyn Sanchez. So, Director, 'pag dumarating po iyong pera, saan po dinidiretso?

MS. SANCHEZ. Mr. Chair, after the Cash Division releases the check to the Special Disbursing Officer, we already have no participation on the encashment or handling of the cash.

REP. GARIN. So, ibig sabihin, Mr. Chair, pagkakuha ng pera sa Land Bank ng 125 million, apat na beses, hindi siya bumabalik sa office ni Vice President?

MS. SANCHEZ. Mr. Chair, I do not have information on whether bumabalik siya po or hindi.

REP. GARIN. So, hindi siya napupunta sa opisina. Kasi apat na beses ito, Mr. Chair, Madam Resource Person, nangyari. At saka ang laki kasi ng amount, eh.

Ilang kahon po iyon?

MS. SANCHEZ. Yes, Mr. Chair, as mentioned earlier, hindi ko na po nakikita iyong pag-encash and pag-handle noong cash.

REP. GARIN. So, maybe, Mr. Chair, we can ask the Land Bank Manager. Ma'am, ilang boxes po iyon?

MS. ABAYA. Doon po sa amount ng...for the OVP, dalawang box po siya ng BSP box.

REP. GARIN. Dalawang box siya ng BSP box. So, ibig sabihin...

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REP. SUAREZ. Point of clarification. Sorry, I've never seen a BSP box. How big is that box?

MS. ABAYA. Malaki po siya, Mr. Chair, pero 'pag kinash *(cash)* out po namin siya kay client, hindi na po siya naka-box. They put it in a bag. In our ano lang...

REP. GARIN. Mr. Chair, can we request the resource person...

REP. SUAREZ. Yeah.

REP. GARIN. ...to speak close to the microphone? So, hindi na siya naka-box, saan po, Ma'am?

MS. ABAYA. Nilalagay po ni client doon sa kaniyang sariling bag. May dala po silang bag.

REP. A. M. J. ZAMORA. Sorry, may I just interject? Anong bag po ito— duffel bag, eco bag—ano pong bag?

THE CHAIRPERSON. Cong. Pammy Zamora.

REP. A. M. J. ZAMORA. Very curious lang ako. Kasi ang laki noong amount na pinag-uusapan. So, ano'ng...Ah, maleta...maleta po ba?

MS. ABAYA. As I remember po, malalaki siyang parang gym bag.

REP. A. M. J. ZAMORA. Ah, *duffel bag.*

THE CHAIRPERSON. Duffel bag. Ang isang duffel bag po, ilan po ang kasya doon?

MS. ABAYA. Hindi ko po ma-remember iyong...kung ilan iyong...kasi parang hinati-hati po nila.

THE CHAIRPERSON. Ilang duffel bag po iyon?

MS. ABAYA. Hindi ko...

THE CHAIRPERSON. If you could recall.

MS. ABAYA. *More or less po, mga nasa three to four duffel bags.*

THE CHAIRPERSON. Three to four.

MS. ABAYA. Ay, duffel bags...parang gym bag po not duffel bags.

THE CHAIRPERSON. Parang gym bag.

MS. ABAYA. Opo.

THE CHAIRPERSON. Na malaki?

MS. ABAYA. Na malalaki po.

THE CHAIRPERSON. Kasi kung three to four, sa 125, so, more or less, mga 25 to 30 million kada isa, *tama po ba?*

MS. ABAYA. Probably, Mr. Chair.

THE CHAIRPERSON. Probably.

REP. LARA. Chair, mag-interject lang, Mr. Chair.

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THE CHAIRPERSON. Yes, Congressman Jojo.

REP. LARA. Sa...kay Manager, sure kayo na hindi nag-request for, ano, delivery? Considering iyong amount niya at saka four times na may withdrawal at, siyempre, once na nag-abiso sa bangko, the following day ang withdrawal nito, supposedly, 'di ba? So, parang unusual naman na pi-pick-up-in nila sa bangko iyong actual na withdrawal. 'Di ba, 'pagka ganito ang extent ng withdrawal, usually ha, 'no, kasi galing din ako ng bangko, Ma'am, dini-deliver iyong mga ganitong kalalaking amount.

MS. ABAYA. *Hindi po, Mr. Chair, since nabanggit ko kanina na wala naman po* kaming memorandum of agreement as to the cash delivery.

REP. GARIN. Mr. Chair, if I may?

THE CHAIRPERSON. Yes, Congressman Garin.

REP. GARIN. Can we inquire from other resource persons if indeed a memorandum of agreement is needed when you use the—what do you call that—the special vehicle...armored vehicle?

THE CHAIRPERSON. Ms. Camposano.

Ma'am before I recognize you, the Chair would like to recognize Senior Deputy Speaker Dong Gonzales.

Yes, please continue.

MS. CAMPOSANO. Yes, Madam Chair, a memorandum of agreement is needed for us the day to deliver the cash to our client.

REP. GARIN. In this case, did you not suggest or recommend to the agency's concerned that the cash be delivered by your armored vehicle considering that this is cold cash and you are in Metro Manila where there is traffic and those traffic stops can actually put the danger of our DEPED and OVP officials in jeopardy. Kasi ang dali-dali lang niyan. May mag-text lang, "Ayan, o, naglalabas ng pera", unless marami ang nag-secure sa OVP at sa DEPED para ilabas iyong cash na ito. Or the next question is, saan ito nilalagay? Kasi, siyempre, ang laking pera. Kunwari 125 million cash, bibitbitin mo pauwi sa opisina. Gaano po kalaki ang office ni Ma'am Gina Acosta? Maybe we can ask...

THE CHAIRPERSON. Representative from OVP. Atty. Sanchez.

MS. SANCHEZ. Yes, Mr. Chair. It's just a small office, Mr. Chair, and it's shared with the other staff.

REP. GARIN. So, Mr. Chair, Your Honors, 'no, ang...tama naman po na iyong accountable is Ms. Gina Acosta because she's the payee of the check. However, that's taxpayer's money. That's still pera ng sambayanang Filipino na in-entrust sa OVP at

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sa DEPED. And our good distinguished resource person here, Atty. Sanchez—*I'm not* sure, Mr. Chair, I'm not a lawyer—but is it not that they will also be accountable because they are aware that a 125 million cash check will be encashed, brought back in cold cash, stored in the office that is shared by many people. So, I think, accountability does not stop with Ms. Acosta. Accountability also includes those in the Finance and Cash Division. Kasi alam nila, unang-una, kapag ikaw ay nasa gobyerno, you have to make sure na iyong cash na nasa office ninyo ay tamang-tama lang para hindi holdup-in iyong mga empleyado doon. Pangalawa, it's a shared office. Pangatlo, it's a huge amount.

May I ask, Mr. Chair? Ma'am, bakit po instead of 125 million cash—apat na beses—ba't 'di ninyo na lang ginawang 10 million, 15 million, lower, para iyong risk hindi malaki. Kasi, 'di ba, nasa opisina ninyo nakatago ang pera? Bakit po?

THE CHAIRPERSON. Atty. Sanchez.

MS. SANCHEZ. Yes, Mr. Chair, I would just like to clarify that I do not know if kung saan po nakatago iyong pera. So, I'm not aware kung sa opisina po ba nakatago...

THE CHAIRPERSON. *So, you're not sure na from the bank dinidiretso sa* office?

MS. SANCHEZ. Yes, Mr. Chair. And then in terms of the amount... *(interrupted)*

REP. GARIN. Mr. Chair, sorry to cut you on that, ha. Ma'am, kayo ang nagpapa-release, kayo ang nag-i-issue ng tseke, i-encash, malaking amount, ibig sabihin, hindi ninyo na tsinitsek na napupunta sa opisina ninyo?

Next question, Mr. Chair, is there a possibility that it is being brought by Gina Acosta to her house?

MS. SANCHEZ. *Mr. Chair, again, I do not have personal knowledge on...*

REP. GARIN. Is it possible?

MS. SANCHEZ. Mr. Chair, for possibility, I would agree that there is possibility, Your Honor.

REP. GARIN. In this case, Mr. Chair...Ma'am, pasensiya na po, pero you are in charge of the coffers of the OVP, you would release a check of 125 million not once...

(MR. ALVIN ANTHONY F. RABULAN TOOK OVER)

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REP. GARIN. *(Continuing)...not once, not twice, not thrice, but four times* and cash it totally, and then pinapabayaan nyo na lang, 'eh, kung inuwi iyan at tinakbo noong tao.

MS. SANCHEZ. Mr. Chair, under the joint circular, it is a responsibility of the Special Disbursing Officer to safe keep the fund. So, it is also for that reason that there is a bond for the Special Disbursing Officer.

And as to the amount that was asked earlier, we just relied on the amount of the disbursement voucher that was submitted to the accounting division for the release of the checks, Mr. Chair.

REP. GARIN. Yeah. Mr. Chair.

THE CHAIRPERSON. Ma'am. Sandali lang po.

REP. GARIN. Yes.

THE CHAIRPERSON. May isang itatanong lang ako.

REP. SUAREZ. Singit lang ako.

THE CHAIRPERSON. Ah, kanina sinabi po ninyo maliit lang iyong opisina ni Ma'am Gina Acosta. Tama po ba? Could you please describe the office of Ms. Gina Acosta.

MS. SANCHEZ. Yes, Mr. Chair. Mr. Chair, the office of Ms. Gina Acosta is located in the executive wing of our office. So, different staff sila doon. And then parang cubicle lang siya na...

THE CHAIRPERSON. Cubicle lang?

MS. SANCHEZ. Yes, Mr. Chair.

THE CHAIRPERSON. Wala ba siyang taguan doon sa opisina niya ng pera?

MS. SANCHEZ. *I am not aware, Mr. Chair.*

THE CHAIRPERSON. So, pag...hindi...'pag sinabi mong cubicle, 'eh di, ibig sabihin, hindi siya talaga office.

MS. SANCHEZ. Yes.

THE CHAIRPERSON. Tama ba?

MS. SANCHEZ. Yes, Mr. Chair.

THE CHAIRPERSON. So, there is no way na pupwede niyang itago sa opisina niya iyong 125 million. Tama po ba? Kasi cubicle lang, 'eh.

MS. SANCHEZ. *Mr. Chair, may mga storage shelves doon sa opisina.*

THE CHAIRPERSON. Storage shelves.

MS. SANCHEZ. Shelves. Cabinets, Mr. Chair.

THE CHAIRPERSON. Cabinet but not vault.

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MS. SANCHEZ. *I'm not aware of any vault, Mr. Chair, and I have not* inspected the storage shelves, Mr. Chair.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Nasa likod ako, 'eh. But anyway, Mr. Chairman, iyong Land Bank ba...Land Bank, ano ba talaga ang nangyari? You delivered?

VOICE. Kinuha.

REP. PADUANO. Kinuha 125 million?

MS. ABAYA. *Mr. Chair, kinuha po siya sa bank.*

REP. PADUANO. Iyong 125 million.

MS. ABAYA. Yes, Mr. Chair.

REP. PADUANO. Sino iyong cashier/teller that time?

MS. ABAYA. Three tellers po iyong involved, different checks po.

REP. PADUANO. Different checks. Ilang checks iyon?

MS. ABAYA. Four checks, Sir.

REP. PADUANO. Mr. Chairman, can we invite in the next hearing the tellers *involved in this transaction. Para magkalinawan po tayo dito. Kasi I doubt, Mr.* Chairman...ah, Ma'am...Land Bank, do you have a MOA with the Office of the Vice President?

MS. ABAYA. No, Mr. Chair.

REP. PADUANO. Sigurado po kayo?

MS. ABAYA. Opo.

REP. PADUANO. Wala kayong MOA?

MS. ABAYA. MOA for the cash delivery, no, Mr. Chair.

REP. PADUANO. *How about cash deposits?*

MS. ABAYA. We have a MOA, payroll lang po.

REP. PADUANO. Sorry.

REP. ZAMORA. Payroll.

MS. ABAYA. Payroll.

REP. PADUANO. Payroll, not cash advances on other projects and transaction.

MS. ABAYA. Yes, Mr. Chair.

REP. PADUANO. O, *kindly submit din iyong* MOA ninyo with the OVP para matingnan namin. What was the last date noong MOA ninyo?

MS. ABAYA. 2022.

REP. PADUANO. O, paki-submit po para matingnan natin.

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Then, Mr. Chairman, may we invite all the tellers involved.

THE CHAIRPERSON. Could you please submit the names...the list of the names of the tellers...

MS. ABAYA. Yes, Mr. Chair.

THE CHAIRPERSON. ...to the ComSec.

MS. ABAYA. Yes, Mr. Chair.

THE CHAIRPERSON. Okay.

REP. PADUANO. Mr. Chair, last na lang po.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Ma'am, the transaction happens when?

MS. ABAYA. Yung isa po, first check, 2022 and the rest na three checks, 2023.

REP. PADUANO. Ito po, 2022?

MS. ABAYA. Yes, Mr. Chair.

REP. PADUANO. How much is the 2022 transaction?

MS. ABAYA. Hundred twenty-five million.

REP. PADUANO. Then iyong 2023?

MS. ABAYA. Three times...three checks po. Hundred twenty-five each transaction.

REP. PADUANO. Hundred twenty-five each transaction.

So, iyong 2022 ninyo, hundred twenty-five each transaction. Tama?

MS. ABAYA. Hundred Twenty-Five...

REP. PADUANO. Okay. Now Ma'am, ganito hundred twenty-five, Ma'am, ha. Ilang ano yan...ilang luggage yan...

REP. ZAMORA. Mr. Chair...

REP. PADUANO. ...sabihin natin...

REP. ZAMORA. ...ano po. Duffel bag daw po.

REP. PADUANO. Duffel bag.

REP. ZAMORA. Opo.

REP. GARIN. Gym bag, gym bag. Apat na gym bag.

MS. ABAYA. Gym bag po.

REP. GARIN. Gym bag.

REP. PADUANO. Gym bag.

MS. ABAYA. Yung maliit po.

REP. PADUANO. So, mahigit...that's around 30 million per bag.

MS. ABAYA. More or less, Mr. Chair.

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REP. PADUANO. Hindi nga, more or less...yeah...now. That was 2022, 2023, 'di ba?

MS. ABAYA. Yes, Mr. Chair.

REP. PADUANO. Okay. Ito na lang po, Ma'am, from the teller, sino nagbitbit palabas? Of course, sa sasakyan *ni ano...ni* Acosta, 'di ba? Sino'ng bumitbit?

MS. ABAYA. Client po, Mr. Chair.

REP. PADUANO. Sorry.

MS. ABAYA. Ah, client po.

REP. PADUANO. *Client.*

MS. ABAYA. Actually, may nag-assist po kay Ms. Gina Acosta.

REP. PADUANO. Na client not your...

MS. ABAYA. No. No.

REP. PADUANO. Not your personnel.

MS. ABAYA. Hindi po, Mr. Chair.

REP. PADUANO. Sigurado ka?

MS. ABAYA. Yes, Mr. Chair.

REP. PADUANO. Now, *ganito na lang*, Mr. Chair, can we issue a subpoena *duces tecum* with regards to CCTV during that time. Ma'am, ha, tandaan ninyo may record kayo diyan involving that transaction, Mr. Chairman, para makita natin kung nandoon talaga si Acosta o wala. Because this happens Ma'am, in some of transactions being made by government agencies, and it was also investigated in my Committee.

Paki-submit po iyong transaction na iyon, 2022 at saka 2023, Mr. Chairman. So moved, Mr. Chairman.

REP. SUAREZ. *Second.*

REP. BONGALON. Second.

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

REP. SUAREZ. Mr. Chairman.

THE CHAIRPERSON. Yes, DS Jay-Jay Suarez.

REP. SUAREZ. Yeah. Curious lang ako dito sa pagbubuhat noong...

REP. A. M. J. ZAMORA. *Duffel bag.*

REP. SUAREZ. Duffel bag.

ComSec, mayroon kasi akong nahiram na duffel bag dito. Pakita mo nga kung ito iyong...ganito kalaki iyong duffel bag.

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MS. ABAYA. *Mas malaki.*

REP. SUAREZ. Ma'am, mga ganyan kalaki?

MS. ABAYA. Ah, opo. Mayroon pa yatang mas malaki. *(Laughs)*

REP. SUAREZ. Hindi. Ganyan kalaki o mas malaki diyan?

MS. ABAYA. Mas malaki po ng kaunti, Sir.

REP. SUAREZ. Iyong bag po naggaling sa OVP o galing sa Land Bank?

MS. ABAYA. Dala po ni client, OVP.

REP. SUAREZ. Ah, so dala po nila iyong bag. So, handa na po sila para kunin iyong pera.

MS. ABAYA. Yes, Mr. Chair.

REP. SUAREZ. So, ilang milyon kada bag ang nailalagay?

MS. ABAYA. Ah, sila po kasi iyong nag-insert na po sa bag...naglagay sa bag. From the teller, noong ni-release po ng teller, sila na po ang nag-divide doon sa bags.

REP. SUAREZ. Without the supervision of Land Bank or under the supervision of Landbank?

MS. ABAYA. *Witness pa rin po nang nag-release na teller.*

REP. SUAREZ. So, thank you that we invited a teller.

Now, question, I can imagine kung apat na bag iyon...125 divided by 4, more or less, would be around 30, 35? You know, my Math isn't so good, kaso lang, I would imagine mabigat po iyon.

MS. ABAYA. Yes, Mr. Chair.

REP. SUAREZ. So, ilang tao ang kinakailangan...mga 31 million, 'no, 31 million, tama. So, ilang tao ang napansin ninyo na bumubuhat noong isang bag?

MS. ABAYA. *As far po na na-remember ko...*

THE CHAIRPERSON. Pakilapit po iyong mic.

MS. ABAYA. Sa pagkakaalala ko po, dalawa.

REP. SUAREZ. So, dalawa kada bag.

REP. GARIN. Mr. Chair, very quick, very quick interjection, quick interjection.

THE CHAIRPERSON. Congresswoman Garin.

REP. GARIN. Ilang kilo po ang 35 million, Mr. Chair?

MS. ABAYA. Hindi ko po ma-estimate, Ms. Chair. *(Laughs)*

REP. SUAREZ. *I'm sorry, Congresswoman Garin. I'm not in a position to* answer that, 'no. But actually that was my point kasi kung...mabigat po iyon, I would imagine. So, kung dalawang tao kada bag, apat na bag, iyon po ay binabalikan ng

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dalawang tao o more than...more than two people accompanied Ms. Acosta to withdraw the cash.

MS. ABAYA. Ah, more than two people po.

REP. SUAREZ. More than two. So, are you saying four? How many individuals?

MS. ABAYA. More or less po, sa pagka-remember ko.

REP. SUAREZ. O, kasi noong tinitingnan ko po...Ms. Sanchez, how long have you've been working with Ms. Gina Acosta.

MS. SANCHEZ. *Since I joined the OVP...*

THE CHAIRPERSON. Atty. Sanchez.

REP. SUAREZ. Yeah.

MS. SANCHEZ. Yes, ah, since I joined the OVP, Mr. Chair...

REP. SUAREZ. How would you describe her built?

MS. SANCHEZ. Around...

REP. SUAREZ. Is she as tall as you are? Kasing tangkad mo ba siya? Medyo, ah, payat? Ano po ang pangangatawan ng...Ms. Gina Acosta. Hindi ko pa po kasi nakikita ito, 'eh.

MS. SANCHEZ. Similar to my built, Mr. Chair, pero baka mas payat po, Mr. Chair.

REP. SUAREZ. Mas payat. At kung hindi po ako nagkakamali, more or less, how would...ilang taon na po si Ms. Gina Acosta?

MS. SANCHEZ. Mr. Chair, I will just check po iyong date of birth. But...

REP. SUAREZ. What about you, Atty. Lopez, you've been working with Gina Acosta for quite a number of years. How old is Ms. Gina Acosta?

MS. LOPEZ. *Your Honor, I would suppose not yet 60. But maybe 50...mid 50s.*

REP. PADUANO. Fifty-nine, Chairman.

REP. SUAREZ. Fifty-nine.

REP. PADUANO. Yeah.

REP. SUAREZ. O, thank you very much for informing me.

And she's...and what is her built?...

(MR. REYNALDO T. SANTOS, JR. TOOK OVER)

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REP. SUAREZ. (Continuing)...her built?

MS. LOPEZ. Similar, as mentioned earlier by Director Sanchez.

REP. SUAREZ. So, would you say that it will be physically impossible for someone of the same built as Attorney Sanchez to carry one duffle bag by herself?

MS. LOPEZ. I cannot... Yes, it would be physically impossible.

REP. SUAREZ. It would be physically impossible. Kaya nga nangailangan sila nang apat na tao.

So, therefore, Mr. Chair, I would like to support the motion of Congressman Paduano. It also important for us to find out kung sino pa iyong apat na tao na kasama ni Gina Acosta mag-withdraw ng 125 million pesos sa Land Bank.

Land Bank, as a matter of procedure, 'pag mayroon bang mga...'pag mayroon po bang mga pumapasok na tao para mag-withdraw ng ganito kalaking pera, nasa logbook ninyo naman po iyon, 'di ba?

MS. ABAYA. Iyon pong...

REP. SUAREZ. As a security measure, I would assume, you know, a... a withdrawal of this amount would require certain signatories and IDs to be presented.

MS. ABAYA. Sa guard's logbook po ba iyong we're talking of?

REP. SUAREZ. No... Either the guard's logbook or the bank record log book.

MS. ABAYA. Sa bank records po, wala po kaming logbook na mine-maintain as to the records of...

REP. SUAREZ. So, ang nasa inyo, basta si Gina Acosta ang nakapirma...

MS. ABAYA. Opo.

REP. SUAREZ. ...Hindi niyo na isinama doon iyong mga kasama niya para i... para dalhin iyong pera.

MS. ABAYA. Wala po, Mr. Chair.

REP. SUAREZ. Wala. But doon sa logbook ng guard, nandoon iyon?

MS. ABAYA. I'm not so sure, Mr. Chair. We'll check po.

REP. SUAREZ. Siguro magandang malaman din natin kasi critical sa atin malaman iyong mga individual.

Sino po iyong Finance Department?

REP. ABANTE. Mr. Chair.

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REP. SUAREZ. Yes, yes. Very quickly po before I lose my point, Vice Chairman Benny.

Sino po iyong Finance and Admin head?

Yeah. Attorney Sanchez, so sino po ang kasa-kasama ni Gina Acosta tuwing magwi-withdraw po ng pera ng...ng Confidential Funds ng Office of the Vice President?

MS. SANCHEZ. Mr. Chair, may I respond?

REP. SUAREZ. Yes.

THE CHAIRPERSON. Attorney Sanchez.

MS. SANCHEZ. Thank you, Mr. Chair.

Mr. Chair, as mentioned earlier, from the end of Finance, once we release the check to the payee, we already have no... we do not have participation...

REP. SUAREZ. No, no, no, that's not my question, Ma'am. My question is, 'di ba, you're... you're handling admin as well—so, human resource, employees. So, 125 million is a big amount, and I would expect some sense of security would be implemented by the Office of the Vice President, kasi tama iyong sinabi ni Congressman Garin, eh. Baka mamaya may magka-interes doon na nalaman na isang tao na kasing laki mo lang ang may buhat-buhat, 125 million. Talagang puwedeng pagtangkaan na nakawan iyon. So, dapat may kasamang tao, may magse-secure. So, who were those persons who accompanied Gina Acosta withdraw that money?

MS. SANCHEZ. Mr. Chair, as the security arrangements for the withdrawal of the money, I was not part of the arrangements, Mr. Chair. So, it was not relayed to me, Mr. Chair. But reminders...

REP. SUAREZ. Mr. Chair, I think that would be an answer I cannot accept, Mr. Chair, kasi kayo po ang tagapamahala noon, eh. Kayo ang pumirma ng tseke. In fact, it was so quick that all four of you signed the check on the same day. There was haste in the office to withdraw that cash. So, I would expect that, in the same manner, you would also secure that fund. Kasi dito nga—December 20 ba iyon—sabay-sabay ninyong pinirmahan iyong disbursement voucher, eh. Actually, nagulat nga ako, sobrang bilis ninyo, eh. Tatlong signatory, isang araw, nagawa ninyo, eh. So, ipinakita ninyo na minamadali niyong makuha iyong pera. So, ang tanong ko, sa pagmamadali ninyo, siguro naman tiniyak niyo rin, dahil nga nagmadali kayo, mahalaga sa inyo 'to,

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sisiguraduhin naman natin na secure iyong pera. Ang tanong ko, oras na ibinigay niyo iyong tseke sa Land Bank, sino ang kasama ni Gina Acosta i-withdraw iyong pera?

MS. SANCHEZ. Mr. Chair, respectfully, I really have no personal knowledge as to the companions of the Special Disbursing Officer.

REP. SUAREZ. Because, Mr. Chair, this did... this not happen only once. It happened in December, it happened in January, it happened again, I think, sometime in April—I can be wrong—and maybe, again in September. Tama ba ako, Ms. Sanchez? Parang ganoon iyong dates, 'di ba?

MS. SANCHEZ. The last one was in July, Mr. Chair.

REP. SUAREZ. Yeah. Okay. So, it happened four times.

So, Mr. Chair, Ma'am Villadelrey, kayo, malalaman niyo ba kung sinong kasama ni Gina Acosta noong winidro *(withdraw)* iyong pera?

THE CHAIRPERSON. Ma'am Villadelrey, you are recognized.

MS. JULIETA L. VILLADELREY (Chief Accountant, Accounting Division, Office of the Vice President). Good afternoon, Mr. Chair.

I'm sorry, Your Honor, I don't have knowledge po kung sino iyong companion ni Ms. Gina Acosta...

REP. SUAREZ. Kasi alam mo, Mr. Chair, ang nakakapagtaka dito sa Office of the Vice President, mabilis silang pumirma ng disbursement... ng disbursement voucher para mag-issue ng tseke. Tumawag pa sila in advance sa Land Bank para siguraduhin na may pera ang bangko para i-withdraw iyong pera. Kaso lang wala naman silang nilalagay na aksyon para pangalagaan iyong pera. Ni nga paglalagyan ng 125 million, wala na silang pakialam kung saan nila ilalagay. Kasi ang sinabi ni Ms. Sanchez kanina, iyong vault ay para lang sa petty cash. Sabi niya, may cabinet doon, but I doubt you'll put 125 million pesos in a cabinet, not unless that cabinet is secured and large enough to hold that amount.

So, I... what I don't understand, Mr. Chair is how come they are so reckless and carefree with such a huge amount? And this is just 125 million. We're not even talking about the 37 million that was withdrawn from the DEPED. So, for me, Mr. Chair, this is unacceptable.

REP. ABANTE. Mr. Chair.

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THE CHAIRPERSON. Congressman Abante.

REP. ABANTE. I just would like to ask a question to the Land Bank, 'no, in relation to the question of Congressman Jay-Jay Suarez.

Ms. Abaya...

REP. GARIN. Mr. Chair, very quick. One interjection lang, maipagpatuloy lang. Very quick interjection...

THE CHAIRPERSON. Congress...

REP. GARIN. ...can be just one answer. Kanina kasi nagtanong tayo doon sa lalagyan...

THE CHAIRPERSON. Yes, Congressman Garin.

REP. GARIN. Yeah. Mr. Chair, hindi ko lang po natapos iyong tanong ko kay Ma'am Camposano.

Ma'am, iyong sa 37.5 million, ano po ito, ano pong linagyan?

MS. CAMPOSANO. Two bags, Ma'am, two bags.

REP. GARIN. Anong klaseng bag po?

MS. CAMPOSANO. Parang ganoon din po, parang mga gym bag.

REP. GARIN. So, gym bags. So, 37.5. Ang laman ng bawat isa is more or...a little less than 20 million each.

MS. CAMPOSANO. I am not sure.

REP. GARIN. Sino po ang nag-pack, Mr. Chair? Sino ang naglagay doon sa bag?

MS. CAMPOSANO. The payee.

REP. GARIN. The payee. Sino po ang nagbigay noong pera?

MS. CAMPOSANO. The teller.

REP. GARIN. Sino po ang nagbitbit palabas?

MS. CAMPOSANO. The payee.

REP. GARIN. Siya lang pong mag-isa?

MS. CAMPOSANO. Mayroon po siyang kasama.

REP. GARIN. Ilan po ang kasama?

MS. CAMPOSANO. Isa po.

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REP. GARIN. Yeah. Last question, Mr. Chair, bumalik tayo doon sa tanong natin doon sa kabilang Land Bank. In your case po sa DEPED, kanino pong sasakyan ang sumusundo doon sa payee, naka-red plate po ba or private na sasakyan?

MS. CAMPOSANO. Wala pong sasakyan. Lumalabas po sila sa may backdoor po namin.

REP. GARIN. So, walang sasakyan? Nagdyi-jeep lang sila pabalik ng DEPED.

MS. CAMPOSANO. No, Ma'am. Ang location po ng branch namin is within the compound of the DEPED. So, lumalabas...

REP. GARIN. Oh, okay.

MS. CAMPOSANO. ...sila sa fire exit leading to the DEPED compound.

REP. GARIN. Okay. No further question, Mr. Chair.

REP. AURELIO "DONG" D. GONZALES, JR. Mr. Chairman.

REP. ABANTE. Mr. Chair, bago ko makalimutan, baka makalimutan ko na, eh, gusto ko lang tanungin si Ms. Abaya dito, mayroon ba kayong CCTV?

MS. ABAYA. Mayroon po, Mr. Chair.

REP. ABANTE. Mayroong sisitibing *(CCTV)* nandoon mismo sa pag-withdraw ng pera?

MS. ABAYA. Yes po doon...

REP. ABANTE. Nasa CCTV iyan, correct? So, makikita ninyo ngayon iyong mga tao sa CCTV na nag-withdraw, correct?

MS. ABAYA. Yes, Mr. Chair.

REP. ABANTE. I'd like to make a motion, Mr. Chair, that we... that they submit to us a CCTV in which... during the withdrawal.

REP. PADUANO. Tapos na iyan, na-move na. Na-move na iyan kanina pa, Mr. Chairman. This Representation moved to... for the Land Bank to submit that CCTV.

REP. ABANTE. Para wala na tayong question dito...

REP. PADUANO. Both, both, both.

REP. ABANTE. ...kasi mukhang hindi alam ni Attorney Sanchez, eh. Palagay ko, Mr. Chair, eh, medyo, ewan ko, ha, parang alam niyo, eh...

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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REP. ABANTE. *(Continuing)*...alam ninyo, eh, Atty. Sanchez. Hindi puwedeng hindi ninyo alam, eh. So, ngayon, malalaman natin through sa CCTV.

THE CHAIRPERSON. Okay. With the indulgence of Congressman Rodge...

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. ...the Senior Deputy Speaker. The Chair would like to recognize the Senior Deputy Speaker Dong Gonzales.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

This is interrelated with my question last hearing kay Gina Acosta at saka iyong sa nagpa-encash sa Shaw Boulevard. In my recollection last hearing, I asked already that the 3...37.5 million encashed on first and second, third quarter, in-encash ho iyon doon sa Land Bank DEPED compound. Tama ho ba? And my question there is sino ang tumanggap doon sa pera 'pag ni-receive ninyo iyong pera? 'Di ba tseke po iyan, ano?

MS. ABAYA. Yes.

REP. A. D. GONZALES. 'Pag pina-encash mo iyong tseke, ang tatanggap, sigurado kung Fajarda iyan, siya po ang pipirma. That's my number one question.

Number two question is, iyong 125 million, in my recollection, pina-encash iyan noong July 11 or 13. July 13, 2023 sa Shaw Boulevard iyong 125 million. And then the last check of 37.5—halos sabay po ito—iyong last check ng 37.5 million and the 125 million, sabay po iyan in-encash halos sa Shaw Boulevard at saka doon sa DEPED Branch ng Land Bank.

Pangatlo po, ang address ni Mr. Fajarda is walking distance only from DEPED Land Bank compound up to the residence of Mr. Fajarda. My question is, sino po ang tumanggap...received doon sa 125 million sa Shaw Boulevard and the 37.5 sa DEPED compound ng Land Bank? Iyon po, Mr. Chairman. That's my two questions. Tanong ko po iyan last hearing, pero wala po iyong cashier na sinasabi ninyo. Salamat po

THE CHAIRPERSON. Ms. Nenita Camposano, you're recognized.

MS. CAMPOSANO. With the DEPED Branch, it's the payee himself who received the cash.

REP. A. D. GONZALES. Who is that, Ma'am?

MS. CAMPOSANO. Edward Fajarda.

REP. A. D. GONZALES. Edward Fajarda, okay. Iyong sa 125 million, Ma'am?

MS. ABAYA. For the 125 million po, Ms. Gina Acosta.

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REP. A. D. GONZALES. *Puwede ho kaming humingi ng kopya, iyong* receiving copy sa bangko na ang nag-receive katunayan si Gina Acosta at si Mr. Fajarda?

MS. ABAYA. Yes, Mr. Chair.

REP. A. D. GONZALES. That's all, Mr. Chairman.

THE CHAIRPERSON. Okay.

REP. A. M. J. ZAMORA. Mr. Chair.

THE CHAIRPERSON. Yes, Congresswoman...

REP. KHONGHUN. *Mr. Chair.*

THE CHAIRPERSON. Okay. With the indulgence of Congresswoman Pammy, the Chair would like to recognize Congressman Jay Konghun.

REP. KHONGHUN. Thank you, Mr. Chair.

Mr. Chair, gusto ko lang tanungin si ano, 'no, sandaling katanungan lang kay Atty. Lopez, 'no.

Atty. Lopez, pagdating ba sa security, lalong-lalo na 'pag nagwi-withdraw, ano, ang inyong SDO ng ganyan kalalaking pera, hindi ba nakikipag-coordinate sa inyo ng security *iyan, usually, 'pag nagwi-withdraw ng pera?*

THE CHAIRPERSON. Atty. Lopez.

MS. LOPEZ. Ah...

REP. KHONGHUN. Dahil ikaw ang Chief of Staff, ikaw ang namumuno ng mga staff ng Office of the Vice President. Lahat ng mga tao rito, under sa iyo iyan sigurado. So, they report directly to you, being the Chief of Staff. Ngayon, ang tanong ko, hindi ba humingi ng security si Madam Acosta sa pagwi-withdraw ng ganyan kalaking pera?

MS. LOPEZ. *Your Honor, in this case, I am the Undersecretary and Chief of* Staff of the Office of the Vice President, but there are certain matters that are not within my area of expertise. I handle purely, Your Honor, all the institutionalization and implementation of all our socio-economic projects. In this particular case, Your Honor, as regards the matter of security, *et cetera*, these are admin concerns.

REP. KHONGHUN. Tama po, sa mga proyekto ng Office of the Vice President. At kasama sa mga proyekto ng Office of the Vice President, eh, iyong paggamit ninyo ng confidential fund na winidro (*withdraw*) ni Ms. Acosta. Syempre po, *kayo po ang nakakaalam kung saan at papaano ito ginagastos. Tama po ba?*

MS. LOPEZ. Your Honor, Mr. Chair.

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REP. KHONGHUN. Dahil programa po...kasasabi ninyo po, programa ng Office of the Vice President.

MS. LOPEZ. Your Honor, may I be...may I be allowed to...just to put things in context. I actually am...I oversee the daily operations of the Office of the Vice President. For that matter, a big volume of the work that I do is actually to, number one, institutionalize and implement all our socio-economic programs. For that matter, Your Honor, implementation of all...institutionalizing programs would mean it's more of crafting policies, producing operational manuals and ensuring that our socio-economic programs are implemented uniformly and equally across our satellite offices and extension offices across the country. For that matter, Your Honor, I am also in...

REP. KHONGHUN. Madam, hindi ninyo po sinasagot iyong katanungan ko, eh. Pinapaganda ninyo lang po iyong explanation ninyo, eh, opo. Pakisagot na lang po ng diretso para...nakakahiya po sa kasama ko sa Kongreso. Pakisagot na lang po ng diretso.

MS. LOPEZ. Your Honor, with all due respect, iyon po iyong role ko sa Office of the Vice President. It is really...another would be to handle all forms of communication, whether internal or external communications.

REP. KHONGHUN. Kaya nga po, wala po ba kayong natanggap na request coming from kay Gina Acosta para sa security ng paglalabas ng pera sa Land Bank dahil malaking pera po iyon na para sa mga proyekto po ninyo katulad nga po ng sinasabi mo?

MS. LOPEZ. In my case, Your Honor, for this instance, there is no request for security. But I would assume because security falls under admin concerns, it would really be best addressed to the Director for Admin, Your Honor.

REP. KHONGHUN. Pero dahil maliit po iyong opisina ninyo, alam po ninyo na nag-withdraw po ng ganoong kalaking pera si Ms. Acosta noong araw na iyon?

MS. LOPEZ. No, Your Honor. Because, again, there are matters in the office that I am not privy to, Your Honors.

THE CHAIRPERSON. Ma'am, parang ang lumalabas, hindi alam noong admin, hindi rin alam ng Chief of Staff. So, parang nakakaalam lang nito si Gina Acosta at saka si VP. Tama ba?

MS. LOPEZ. Your Honor...

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THE CHAIRPERSON. *Parang hindi naman po kapani-paniwala na iyong* security lang, eh, simple security reason, request, eh, hihingin pa ni Gina Acosta kay VP.

MS. LOPEZ. Your Honor, that is the truth. There is no request for security to me as regards that.

THE CHAIRPERSON. At parang hindi rin naman po...

MS. LOPEZ. And there has never been...

THE CHAIRPERSON. Parang hindi rin naman po kapani-paniwala na didiskarte *lang noon si Gina Acosta mag-isa.*

MS. LOPEZ. Your Honor, I am not...given the roles that I play and I perform and the functions that I perform in the Office of the Vice President, I am not really privy...

REP. KHONGHUN. Mr. Chair, parang napakaimposible po na ikaw ang Chief of Staff, na under sa iyo iyong mga tao na iyan...

THE CHAIRPERSON. At saka iyong...and iyong pera pong...

REP. KHONGHUN. ...na hindi mo alam kung...

THE CHAIRPERSON. *Iyong pera pong pinag-uusapan natin...*

REP. KHONGHUN. Quite impossible, Mr. Chair.

THE CHAIRPERSON. ...125 million, 'pag pumunta po sa opisina, alangan namang wala lahat kayong nakita.

Anyway, Congressman...Congresswoman Pammy Zamora, you're recognized.

REP. A. M. J. ZAMORA. Mr. Chair, mabilis lang po ito. I'd just like to ask the Land Bank, noong ni-release iyong 100...in the instance that the first 125 million was released, *how long did that take, Ma'am? Hindi po ba...ako po, base po sa* experience ko 'pag pumupunta po ako sa bangko, kahit ano pong nilalabas nila na kahit ano pong halaga, binibilang po sa harap ko. So, binibilang din po ba itong 125 million?

MS. ABAYA. In the case po ng OVP, iyong *125 million, since ang bank po is* ang ni-release po that time is a cash na sealed po siya directly from the BSP, so na...option po ni client na hindi na kinawnt *(count)* since sealed po siya.

REP. A. M. J. ZAMORA. So, hindi po siya binilang?

MS. ABAYA. *Binilang po siya by bundle but not by pieces na.*

REP. A. M. J. ZAMORA. So, that's one...so, ganoon lang po, binilang...hindi na po dinaan sa money counter—ano ba'ng tawag doon?

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MS. ABAYA. *Machine counter, Mr. Chair.*

REP. A. M. J. ZAMORA. Oo, iyong machine. Hindi na po.

MS. ABAYA. Hindi na po. Naka-sealed na...

REP. A. M. J. ZAMORA. And then they cannot...you said it...the money came in a box, bakit po hindi na lang po tinangay iyong box? Sorry, hindi po tinangay, pangit po iyong pagkasabi ko. Bakit po hindi ang...hindi box ang dinala?

MS. ABAYA. Hindi ginamit.

REP. A. M. J. ZAMORA. Ginamit.

MS. ABAYA. *Option po ni client iyon na hindi na nilagay sa box.* So, for security reason, I think, Mr. Chair...

REP. A. M. J. ZAMORA. Opo.

MS. ABAYA. ...kasi masyadong...iyong box kitang-kita...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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MS. ABAYA. (Continuing)...kitang-kita po na it's iyong...ano po siya, storage box ng money from BSP.

REP. A. M. J. ZAMORA. Kasi mayroon pong nakasulat sa box na galing po siya sa BSP, tama po ba?

dMS. ABAYA. Yes, Mr. Chair.

REP. A. M. J. ZAMORA. Alright.

Thank you, Mr. Chair.

REP. ACOP. Mr. Chair.

MS. CAMPOSANO. Ah...

THE CHAIRPERSON. With indulgence of Congressman Rodge.

REP. ACOP. Yeah. With the indulgence of the Honorable Gutierrez...

MS. CAMPOSANO. Ah, mister...

THE CHAIRPERSON. Congressman...

MS. CAMPOSANO. Mr. Chair...

THE CHAIRPERSON. Ah, yes. Ma'am Camposano.

MS. CAMPOSANO. Can I...May we be recognized?

Ah, regarding the CCTV, the bank has retention period pf 90 days for the CCTV footages. So, we cannot provide anymore.

THE CHAIRPERSON. Noted.

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Since that this Representation moved for that submission of such CCTV, iyong teller po pina-invite na natin.

THE CHAIRPERSON. Yes.

REP. PADUANO. Ah, iyong duty guard on that day, we'll be...

THE CHAIRPERSON. Including the logbook.

REP. PADUANO. Yeah, we may also invite the duty guard on that day, Mr. Chairman.

THE CHAIRPERSON. With the logbook?

REP. PADUANO. Yeah. So moved, Mr. Chairman.

Thank you.

REP. GUTIERREZ. Second, Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. Thank you, Mr. Chair.

Clarification lang po.

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Sino po ang finance ng OVP?

MS. SANCHEZ. Yes.

THE CHAIRPERSON. Atty. Sanchez.

MS. SANCHEZ. Yes, Mr. Chair. Thank you, Mr. Chair. Ako po, Mr. Chair.

REP. ACOP. Yes, Ma'am.

You were aware na 125 million iyong confidential fund ng Opisina ni Vice President for 2022?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACOP. And would you know, kalian po kayo na-notify na na-download na iyong amount na iyon doon sa Office of the Vice President?

MS. SANCHEZ. Ah, it's December 13, Mr. Chair, if I recall it correctly.

REP. ACOP. December 13 of 2022?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACOP. May I know why?

MS. SANCHEZ. Mr. Chair, the Office of the Vice President requested for additional funding from the DBM, not only for the provision of confidential funds but also for supplemental budget for our socio-economic programs.

REP. ACOP. No. So, the Vice President requested for confidential fund. Kailan po iyon?

MS. SANCHEZ. Ah, sometime in August, Mr. Chair.

REP. ACOP. Tapos, na-grant-an lang ng December?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACOP. December 13. Okay.

Now, may I ask Land Bank? When was the amount withdrawn?

MS. ABAYA. Ah, for the Office of the Vice President, I think for that 2022, December 20. We'll check the document.

REP. ACOP. December?

MS. ABAYA. Twenty.

REP. ACOP. 20...

MS. ABAYA. 2022.

REP. ACOP. ...22.

MS. ABAYA. For the first...

REP. ACOP. One-time na withdrawal?

MS. ABAYA. Yes, Mr. Chair.

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REP. ACOP. One-time. Ang nag-withdraw iyon pong SDO, Special Disbursing Officer?

MS. ABAYA. Yes, Mr. Chair.

REP. ACOP. Ah, Madam, would you know—si Atty. Sanchez—would that be correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACOP. Yes, Ma'am.

Ah, bakit ginastos ninyo kaagad ito noong period na iyon, when in fact you would have obligated and you would have used it in 2023?

MS. SANCHEZ. Mr. Chair, I do not have knowledge on the actual utilization, but in terms of the cash advance, Mr. Chair, there is no prohibition as whether we can give the cash advance in 2022, Your Honor.

REP. ACOP. Hindi. Kayo po ang mas marunong siguro sa SDO, bakit hindi ninyo na lang sinabihan when this Notice of Cash Allocation ay na-receive ninyo ng December 13? Bakit hindi na lang ninyo in-obligate so that it will not be returned to the National Treasury? Kung na-obligate ninyo, you can use it in 2023. Hindi po ba?

Kung titingnan ninyo iyong budget, mayroong unused appropriations. Number one is unobligated appropriations, at saka number two is iyong hindi na-issue sa inyo. Bakit inapura ninyo?

MS. SANCHEZ. Mr. Chair, for the obligation of cash...of the confidential expenses, we...it is recurred by the issuance of the cash advance, Mr. Chair. And the documents for the request for the release of the cash advance was received by the finance...by the Accounting Division and the Budget Division on December 20, Mr. Chair.

REP. ACOP. Kaya nga. Na-receive niya ngayon, December 13, tapos pinaspasan ninyo nang pag-liquidate, hindi po ba?

MS. SANCHEZ. Ah.

REP. ACOP. And therefore, nagkamali-mali na iyong inyong opisina nang pag-liquidate?

MS. SANCHEZ. Mr. Chair, as to the issuance of the cash advance...as of the time that the cash advance was issued, we do not have information on the period that it will be used. Because it can be used even after December 31, Mr. Chair.

REP. ACOP. Kaya nga, iyon nga iyong katanungan ngayon, eh.

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December 13, nakuha ninyo iyong...na mayroon ng cash for the confidential fund. The first thing that you would have done is that hindi natin magagamit itong 125 million within 11 days, tama?

MS. SANCHEZ. Mr. Chair, there is no requirement under the joint circular to use it within the 11-day period because it's for one quarter.

REP. ACOP. Eh, ginamit ninyo nga, eh, sa liquidation ninyo. You used it for 11 days that's why your office committed mistakes in the liquidation kasi inapura ninyo, eh, when, in fact, puwede naman ninyo i-obligate iyon at saka ninyo na lang i-liquidate, hindi po ba?

MS. SANCHEZ. Again, Mr. Chair, I would like to state for the record that I do not have knowledge on the actual utilization and disbursement from the confidential fund cash advance.

REP. ACOP. I'm amazed. Kasi kayo ang in charge ng finance sa office ng...OVP, you do not know this? It's surprising on my part kasi I've worked with the comptrollership. Kaya nga ako nagtataka, eh, bakit pinilit ninyo na i-liquidate o gamitin iyong pondo—125 million in 11 days? Something must be wrong somewhere, hindi po ba?

Sabihin ninyo sa akin. Normal ba iyon na 125 million gamitin mo in 11 days as a finance officer?

MS. SANCHEZ. Mr. Chair, for the 125 million, I do not have personal knowledge, but...

REP. ACOP. Hindi. Ang tanong ko po ang sagutin ninyo. Sa tingin po ninyo, being with finance, normal ba na gamitin iyong 125 million in 11 days?

MS. SANCHEZ. Mr. Chair, that would...

REP. ACOP. Yes or no?

MS. SANCHEZ. That would depend, Mr. Chair, on the nature of the transactions, Mr. Chair. So...

REP. ACOP. Are you trying to tell me that you could come up with transactions within 11 days, five of which are holidays?

MS. SANCHEZ. Ah, Mr. Chair...

REP. ACOP. Pakisagot lang po.

MS. SANCHEZ. Mr. Chair, in the government, there are transactions which exceed that amount and the payment...

REP. ACOP. Like what, for example?

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MS. SANCHEZ. Purchases, Mr. Chair, but...there may be purchases, Mr. Chair, that exceeds that amount or payment for other transactions, Mr. Chair, like...

REP. ACOP. In the office of the OVP, anong transaction na ganoon?

MS. SANCHEZ. Ah, in the OVP, Your Honor, wala po kaming ganoong transaction.

REP. ACOP. Kaya huwag mo akong pagsabihan nang ganoon, *hija*. Kasi you're coming up with stories or events na wala kang ebidensiya. You're a lawyer, right?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACOP. And when you say something, eh, hihingian kita ng ebidensiya. Eh, wala kang maipakita sa akin, eh.

MS. SANCHEZ. Yes, Mr. Chair. That's why early on, I stated for the record, Mr. Chair...

REP. ACOP. Pero for a finance officer, you do not know na it is unusual for you to use 125 million in 11 days, 5 of which are holidays. Ako, naging comptroller ako, alam ko na imposible. Kaya ang ginagawa naming ay ino-obligate namin para magamit namin sa next year at nili-liquidate namin na tama. Hindi iyong ginawa po ninyo, 'di ba, Attorney? If you are... If you're really well-versed sa finance...

(MS. JOAN E. GRUTA TOOK OVER)

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REP. ACOP. (Continuing)... sa finance, dapat alam mo iyon.

MS. SANCHEZ. Mr. Chair, again, for the confidential expenses and the handling of the Confidential Fund, cash advance for Confidential Fund, hindi po ako involved sa process, Mr. Chair.

REP. ACOP. Okay. Thank you.

For the Confidential Fund of DEPED, Land Bank, ito ba iyong three quarters of 37.5 million each, one time din ba na winidraw (withdraw) ito?

MS. CAMPOSANO. Three withdrawals, 37.5 each.

REP. ACOP. So, ano iyon, every quarter?

MS. CAMPOSANO. I will check my... our records, Sir. I cannot remember anymore.

REP. ACOP. So puwedeng sinasabi ninyo, in one month, na-withdraw lahat ito?

MS. CAMPOSANO. We will check our records, Sir.

REP. ACOP. Thank you. Thank you, Mr. Chair.

Hindi rin masagot, eh.

REP. FLORES. Mr. Chair.

REP. SUAREZ. Thank you very much, Congressman Acop.

Yes, Congressman Flores.

REP. FLORES. Mr. Chair, I would just like to make a follow-up on my suggestion kanina regarding... Attorney Sanchez, do we have the data already as to where... I'm actually just concerned about the SDOs, si Fajarda and Acosta. Actually, si Attorney Ortonio doesn't need to be here. Attorney Lopez is already here being the boss, 'di ba? I'm sure she could answer the questions that would be asked of Ortonio. But I just need to know where Fajarda and Acosta are if they are on official travel.

MS. SANCHEZ. Mr. Chair, I checked with the Central Records Unit of the Office of the Vice President, they are on official travel.

REP. FLORES. Where? What city po, what town?

MS. SANCHEZ. But the travel only indicated various areas.

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REP. FLORES. Various areas. *(Laughter)* Sandali lang. Sorry, natawa ako doon. Various areas of what po? The Philippines, this planet, or the universe? Parang ang labo naman ng tra... You don't know where these persons are?

MS. SANCHEZ. I have no personal knowledge, Your Honor.

REP. FLORES. Attorney Lopez, you're the Chief of Staff. Wala ba tayong idea man lang? Luzon, Visayas, or Mindanao ba ang activity or... Kasi most of the questions that have been asked—to be fair, ha—could have been answered by these two persons, eh. They... They are really the ones that are needed here to answer the questions of the Members of... of this Committee.

So ang tanong ko lang po, if they are really on official travel, saan po?

MS. LOPEZ. Respectfully, Mr. Chair, Your Honor, if I may read the travel order in toto? All right. Just a moment. "Travel Order 2024-1037. In the interest of public service, Edward D. Fajarda is hereby authorized to travel on official business to continue the monitoring and facilitation of the preparations and rollout of the OVP anniversary activities in various areas on November 18 to 22, 2024." And then the second would be, "While outside of his official station, he is authorized to collect allowance for daily travel expenses, incur actual travel expenses in accordance with Executive Order No 77, chargeable against OVP funds subject to existing budgeting...

REP. FLORES. Okay. So...

MS. LOPEZ. ...accounting...

REP. FLORES. ...parang general po iyong travel order nila, travel authority nila. But who would be the person in the OVP who could, at least, give an idea as to where or what part of the Philippines they are... they are in now?

MS. LOPEZ. Your Honor, as mentioned early on, we do have a rollout of activ...

REP. FLORES. Kaya nga. But I'm sure...

MS. LOPEZ. But the exact...

REP. FLORES. ...meron naman itong assignments. Ikaw, doon ka. Ikaw, dito ka. Di imposible naman na all over lang sila, 'di ba? Sino po ang may alam niyan? Kasi, again, I'm gonna repeat why I want them here, because most of the questions are actually directed to them, eh, 'di ba?

MS. LOPEZ. We understand, Your Honor.

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REP. FLORES. Eh, ang pangit naman, kayo tinatanong, eh, ipapasa niyo lang din, na dapat sila. It could have been, you know, properly done kung nandito din sila. And we've been treating you fairly naman, 'di ba?...

MS. LOPEZ. I understand.

REP. FLORES. ...None of you have been cited in contempt. You're all here. You're all eating your own food nga, 'di ba? I noticed, and I think it's better than our food, 'di ba? *(Laughs)* So, ano?

MS. LOPEZ. I do understand, Your Honor, but as mentioned earlier, number one, I have not really gone through the...

REP. FLORES. Again, I'm just asking for who among the officers of the OVP would have an idea as to their exact whereabouts? None? Kasi, if you are a government officer, 'di ba, you're assigned to travel, aren't you supposed to show that this is my certificate of appearance. I went to this particular office to justify your travel. Tama po ba? 'Di ba? So, saan ngayon ang pinupuntahan nila? Is it any of the offices... satellite offices of the OVP? No one will answer?

MS. LOPEZ. On my end, Your Honor, I really have no personal knowledge. Kasi ang Nakita... nabasa ko rin po is various areas.

REP. FLORES. Okay. Who gave the... the travel authority?

MS. LOPEZ. Just a moment, please.

REP. FLORES. Sige.

MS. LOPEZ. The travel authority was signed by the Assistant Chief of Staff, Your Honor, Mr. Ortonio.

REP. FLORES. Pinapa-excuse ko na sana, 'di ba. *(Laughs)* So, he is your assistant right? Can you not call him up and say, "Where are these persons ba? I'm just... I mean, Acosta and Fajarda.

MS. LOPEZ. I will try to reach out to him, Your Honor.

REP. FLORES. O, so you cannot contact your Assistant Chief of Staff?

MS. LOPEZ. Because when I arrived, as mentioned earlier... yes, I arrived only and reported to the office yesterday. I have not seen him actually.

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REP. FLORES. Kaya nga. But I'm sure there are means of communication, you know, he being your assistant. In this day and age, I'm sure someone could get in touch with anyone. Would you not agree, Attorney Lopez?

MS. LOPEZ. I will try to reach out.

REP. FLORES. Okay. I will give you a few minutes ha. Thank you.

MS. LOPEZ. No worries, Your Honor.

REP. FLORES. Mr. Chair.

REP. SUAREZ. Yeah. Just a quick manifestation, Mr. Chair.

Ms. Zulei... Attorney Lopez, how long have you been in government?

MS. LOPEZ. Your Honor, I was a recipient of a loyalty award. So, for 10 years. So, I suppose more than 10 years.

REP. SUAREZ. Okay. So, previous to your position now, you worked as City Administrator of Davao City, correct?

MS. LOPEZ. That is correct, Your Honor.

REP. SUAREZ. So, as City Administrator, I'm sure travel authorities would come and go your desk?

MS. LOPEZ. For certain officials only, Your Honor.

REP. SUAREZ. Yes. So, but they would come your desk. Ikaw ang pumipirma, ikaw ang signatory, ikaw ang may authority.

MS. LOPEZ. That is...

REP. SUAREZ. And you would know that open-ended travel orders are generally prohibited. You cannot issue a travel order that doesn't specify to where you're going, up to when will you be there, and the other details and... and purpose of your travel. Is that correct?

MS. LOPEZ. Your Honor, Mr. Chair, the preparation of... when I was City Administrator, the preparation of documents as regards travel authorities is actually handled by the Human Resource Division.

REP. SUAREZ. Yes. I'm not asking, Attorney Lopez, who prepares them.

MS. LOPEZ. Yes.

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REP. SUAREZ. My... As an attorney and as a City Administrator, you know that it is prohibited, generally prohibited to issue travel orders that are open-ended. Meaning, no specific place, purpose, and time.

MS. LOPEZ. Your Honor, I would think that in this case, it can be justified because there are several... there's a schedule of activities happening on these dates. So, at the very least, I would think that it limits...

REP. SUAREZ. So, if you think it's justified...

MS. LOPEZ. ...the areas...

REP. SUAREZ. Yes, yeah.

MS. LOPEZ. ...in this particular case, Your Honor.

REP. SUAREZ. Yes. So, if you think it's justified, in this particular case, let's take this particular case as an example. So, what's...what particular places are you speaking of?

MS. LOPEZ. That is the matter, Your Honor, that was discussed earlier. I would have to ask and check...

REP. SUAREZ. So, therefore...

MS. LOPEZ. ...which areas...

REP. SUAREZ. ...therefore, you cannot use this example as a particular case because you, yourself, have no specific information as to what these various places are. Am I correct, Attorney Lopez?

MS. LOPEZ. Your Honor, Mr. Chair, there is a list of activities happening across our satellite offices. That can be indication of which areas they will be travelling to.

REP. SUAREZ. So, meaning... Is this a regular practice in the Office of the Vice President where you issue travel orders recklessly with no specific day, with no specific place, with no specific purpose, basta ang sinusulat niyo lang iyon "various"? Paano ngayon 'to, Attorney Lopez? Paano ngayon ito... Si Ms. Villadelrey, nandiyan ba siya?

MS. LOPEZ. She probably went on restroom...

(MS. EMERITA E. AVILA TOOK OVER)

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MS. LOPEZ. (Continuing)...restroom break, Your Honor.

REP. SUAREZ. Okay. Tatanong ko na lang si Miss...si Atty. Sanchez, kung ganito iyong practice sa OVP, paano niyo tsina-charge ng per diem? Tapos, paano kayo nag-i-issue ng travel voucher, paano kayo nag-i-issue ng pambayad ng ticket, pambili ng gasolina, pambayad sa kain, sa eroplano kung ito sinasabi ninyo various places? Various places can mean here, there, everywhere, from the North Pole to the South Pole. So, I mean, you can't expect...you can't expect the Committee to believe that one reason to why your officials are not present is because they're attending to activities in various places. That's totally unacceptable.

Is this a practice in your office, Atty. Sanchez?

MS. SANCHEZ. Mr. Chair, usually when... Before we issue a travel order, there are attachments to it. The first one would be the request for travel authority.

REP. SUAREZ. I'm not asking that, Atty. Sanchez. I know...I know the process because I used to work as a Chief Executive in a local government unit, I know how it works. So, don't tell me the process. What I'm asking you, ito ba ay practice sa Office of the Vice President na recklessly nag-i-issue kayo ng travel authority?

MS. SANCHEZ. No, Mr. Chair.

REP. SUAREZ. O, eh, bakit niyo ginagawa, kung hindi naman pala? So, bakit niyo ginagawa?

MS. SANCHEZ. Mr. Chair, I...

REP. SUAREZ. So, therefore, kung hindi niyo pala talagang ginagawa, ngayon niyo lang ginawa kung kailan may hearing tayo sa Good Government. Na parang lumalabas, sadyang iniiwasan niyo na dumalo iyong mga opisyales ninyo dito sa aming pagdinig kasi talagang isasabay niyo pa, eh. Kung kailan may hearing, sinasadya niyo na wala dito. At iyong dapat pang...at iyong pumirma pa doon sa travel authority na iyon is the same person who promised that he should be here. Mr. Chair, this is beyond disrespect to the Committee.

REP. PADUANO. Mr. Chairman.

REP. SUAREZ. I mean, at the very least. I mean, are you trying to hide the truth? Is it so difficult already for people to say the truth nowadays na you have to come up with all sorts of lies? But I'm telling you, you're gonna run out of excuses eventually; you're gonna run out of reasons eventually. And eventually, we're gonna get to you.

REP. PADUANO. Chairman.

REP. SUAREZ. So, with that being said, Mr. Chair, maraming salamat.

THE CHAIRPERSON. Thank you.

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With the indulgence...

REP. PADUANO. Chairman.

THE CHAIRPERSON. ...of Congressman Rodge, the Chair would like to recognize Congressman Paduano.

REP. PADUANO. Thank you, thank you, Congressman Rodge and the Chair.

Now, Ma'am, alam mo, looking back, ano, balikan ko lang iyong excuse letter noong nakaraan. For example, in the case of Gina Acosta, may travel authority siya, hindi ba, at that time? And her travel was, during the time, was I think in Bacolod City, sa satellite office. Malinaw po doon sa travel authority niya. Sinabmit *(Submit)* niyo po rito. Naka-specify po iyong date at saka place. Nandito ngayon si Doc Chris Sorongon in charge of the satellite office in Western Visayas. And during that hearing, I think, if my memory serves me right, that was the second invitation and that was the excuse of Gina Acosta with the official travel order doon po sa Bacolod City Satellite Office.

Now, today, ang problema niyo kasi, Ma'am, Atty. Sanchez, alam mo ba, ang problema niyo kasi ngayon, nilalabas niyo na walang specific area. Ma'am, talagang tinatago niyo. Alam mo bakit? Kasi supposedly, after the travel, if she goes back to your office, may Certificate of Appearance. And that Certificate of Appearance dapat coincide or in consistent with the travel authority. For example, naka-stipulate doon Bacolod City or Region VI Satellite Office. Eh, iyong Certificate of Appearance niya sa ibang satellite office, will you honor it, Ma'am? Attorney, will you honor it?

MS. SANCHEZ. No, Mr. Chair.

REP PADUANO. O, no. That's why, huwag ninyong gamitin palusot dito na walang specific time, date, and place.

Ma'am, lastly, I just want to warn you. Don't you know, by telling in this Committee, you're violating Section 11 of our Rules, letter (f) po, undue interference. That's our internal rules. You're violating Section 11 of letter (f), paragraph (f) of our rules, undue interference during scheduled hearing by the Committee. I just want to inform you, Ma'am. And if you want to check it, you will...you can check it in our website. Nandiyan po iyon, Attorney. You're a lawyer, you know that.

MS. SANCHEZ. Yes. Mr. Chair.

REP. PADUANO. Thank you, Chairman.

THE CHAIRPERSON. Yes, Atty. Sanchez.

MS. SANCHEZ. May I be allowed to respond, Mr. Chair?

THE CHAIRPERSON. Yes, please.

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MS. SANCHEZ. Mr. Chair, earlier I was asked to check for records for the travel orders. So, that's what I did, Mr. Chair, I just checked. And from the report of our Central Records Unit, they provided me with copies of the travel orders, Mr. Chair. So, for the period of November 10 to 15, Mr. Chair, that is what was mentioned by Honorable Congressman Paduano, that Ms. Gina Acosta traveled to a satellite office and the place specific. But, Mr. Chair, another travel order was issued for the period of November 18 to 22, Mr. Chair. And I'm just basing it, my statements...

REP. PADUANO. And who signed that travel order?

MS. SANCHEZ. As mentioned earlier, Mr. Chair, it was Assistant Chief of Staff, Lemuel Ortonio.

REP. PADUANO. And he's not present also?

MS. SANCHEZ. Yes, that is correct.

REP. PADUANO. Eh, pare-pareho sila.

THE CHAIRPERSON. Who signed the travel order of Ortonio?

MS. SANCHEZ. For the travel... For the Travel Order No. 2024-983 and that covers the period of November 11 to 15, the signatory of the travel order is the Vice President, Your Honor, in accordance with our office order.

REP. PADUANO. Iyong ngayon si... Sino iyong nag-sign ng travel authority ito ngayon?

MS. SANCHEZ. Mr. Chair, for the travel of Ms. Acosta, Atty. Fajarda, and Mr. Fajarda, the signatory is Mr. Ortonio, in accordance with our office order.

REP. PADUANO. Mr. Ortonio and he is also absent today.

MS. SANCHEZ. Yes, Mr. Chair.

REP. PADUANO. Eh, paano mo...paano siya sasagot? But Ma'am...

Last question na lang po, Attorney. Regular ba iyon iyong ngayon? Regular ba o irregular iyong travel authority na iyan? In your own experience and based on the practices, supposedly the practices in your office, is it regular or irregular without dates, without the specific place?

MS. SANCHEZ. Mr. Chair, it's not common, Mr. Chair. This is the first time.

REP. PADUANO. So, that's irregular?

MS. SANCHEZ. That is not usual, Mr. Chair.

REP. PADUANO. Anyway, Mr. Chairman, ako, Attorney, I just...I have just cited our internal rules, ano. I hope you will answer truthfully so that this Committee will not be forced to...to cite you in contempt. Ganoon lang po.

Thank you, Mr. Chairman.

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MS. SANCHEZ. Thank you, Mr. Chair...

REP. GARIN. Mr. Chair.

MS. SANCHEZ. ...but my responses were based on documents.

REP. PADUANO. Ma'am, as I have told you, you're a lawyer, alam mo po. Salamat po, Chairman.

THE CHAIRPERSON. Thank you...

REP. GARIN. Mr. Chair, can...

THE CHAIRPERSON. ...but at this point...

REP. GARIN. ...can we request Cong. Paduano to extend this request? Yeah. Mr. Chair, can we request Cong. Paduano, since he's already posting questions and looking for Ma'am Acosta, maybe they can call her...

(MR. JEFFREY C. OVILLA TOOK OVER)

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REP. GARIN. (Continuing)...call her over the phone kasi on official travel naman siya, so she's still active and performing her duties.

THE CHAIRPERSON. Pupuwede po ba paki tawagan na lang po ninyo si...

REP. GARIN. The Finance Officer, Atty. Sanchez and Atty. Lopez.

THE CHAIRPERSON. ...Ma'am Acosta?

MS. SANCHEZ. I will try, Mr. Chair.

THE CHAIRPERSON. Okay. The Chair would like to recognize Congressman Rodge Gutierrez. Rodge.

REP. GUTIERREZ. Thank you, Mr. Chair. Mr. Chair, just a few questions lang po to continue.

I think the Committee has already expressed its interest by asking the Land Bank. Nakakapagtaka po talaga iyong issue po of the money trail. I think we have established that the cash withdrawn from the Land Bank representing the confidential funds are taken out by the SDO in cash, hindi pa napa-deposit sa Land Bank, and it is in the personal calls of the SDO, which is in line with the joint circular. However, this is 125 million in cash, and in the case of DEPED, 37.5 million per quarter in cold hard cash. But what is not sure yet is where Mister...Ms. Acosta and Mr. Fajarda have brought the cash.

I think we've established the line so far with the tellers. We're still going to have to establish that, at least, from the Land Bank up until the deposit, from the release of the check up to the encashment in Land Bank, we've seen that so far, but we still have yet to establish where the cash goes after that.

And we have some further questions po in relation to this kasi po ang nakikita po natin, based on the testimonies even from the last hearing. In the question of confidential funds, it all points to two people po. In the case of DEPED, at least, it's pointing to the SDO and the head of agency, in which case that would be Mr. Fajarda and then Secretary Duterte.

And, of course, for the OVP, although, interestingly, based on our last hearing, it actually was pointed to three people. If we recall the testimony of Atty. Sanchez, she actually mentioned that based from her knowledge, the persons who would have knowledge of these confidential funds would be the SDO, si Ms. Acosta; the head of agency, which is VP Duterte; and the Chief of Staff, Ms. Zuleika Lopez.

So, in line with this, just to clarify, I'd like to ask a few questions po, 'no, kay Atty. Lopez, through to the Honorable Chairman.

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Atty. Lopez, nabanggit po iyong pangalan po ninyo last hearing. Just to refresh your memory, I'm sure at that time you were busy po with your personal concerns. We were asking si Atty. Sanchez po and si Ms. Villadelrey about the processes within the OVP and the disbursement of the confidential funds. And it was mentioned, I believe, specifically by Atty. Sanchez, what we've established, at least, with Ms. Villadelrey is that wala po silang kinalaman sa disbursement ng confidential funds. Ang alam lang po ng Chief Accountant is the...are the requirements, and that they would have to submit for the release of the check, and kasama rin po dito si Atty. Sanchez. However, Atty. Sanchez, I believe, made that statement that past that point, and what we've established with the Land Bank, the personalities involved with the confidential funds will be the SDO, the VP, and yourself.

However, we take note po, Ms. Lopez, through the Honorable Chairman, most respectfully, na binanggit po ninyo that you're only concerned with operations. And by operations, you're talking, I guess, about the social amelioration program ng Office of the Vice President. Is that correct, Ms. Lopez?

MS. LOPEZ. That is correct, Your Honor. That is my role as Undersecretary and Chief of Staff of the Office of the Vice President.

REP. GUTIERREZ. Ms. Lopez, I hope you under...Atty. Lopez, I hope you understand how we would be...how we would find that quite confusing. Because, generally, the idea of a Chief of Staff would be second to the head of the agency. And by virtue of that, everyone else in that department would be under the Chief of Staff. Generally, that's how it works. Our understanding is that in the OVP, how many Usec positions are there, may we ask?

MS. LOPEZ. There is...There's only one Undersecretary position, Your Honor.

REP. GUTIERREZ. And the Undersecretary position is that of the Chief of Staff, correct?

MS. LOPEZ. That is correct.

REP. GUTIERREZ. So, generally, including the SDO, although they have specific responsibilities under the circular regarding to the confidential funds, they are still under your supervision as the Usec.

MS. LOPEZ. The SDOs, Your Honor, are...do not report to me.

REP. GUTIERREZ. They don't report to you...

MS. LOPEZ. They don't.

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REP. GUTIERREZ. ...although you are the most senior official after the Vice President in the...

MS. LOPEZ. Your Honor...

REP. GUTIERREZ. ...OVP?

MS. LOPEZ. ...if I may be allowed to...

REP. GUTIERREZ. Yes.

MS. LOPEZ. Sir, Congressman Gutierrez, if I may be allowed to explain my answer.

In the Office of the Vice President, although I am the Undersecretary and the Chief of Staff, I am purely handling, as I mentioned, operational concerns.

There are areas, for ex...There are areas, for example, that I am not privy to, one of which is the matter of confidential expenses. But as regards the institutionalization of the projects, implementation of the projects, communications that come through the office—internal—issuances of memo, issuances of special orders, *et cetera*, they go through me. And, also, for external communications, Your Honor, for example, there is a request for a referral to the, for example, the DSWD or the Department of Health. All these matters, Your Honor, are coursed to the Office of the Chief of Staff, and all communications emanate also from the Office of the Chief of Staff—external, especially to those national government agencies.

On top of that, Your Honor, I handle the day-to-day operations of...there is a clustering in the Office of the Vice President. For example, as I'm...in the case of Director Lynne, she handles the Finance Cluster, which is Budget, Accounting, GSD, 'no—it's under you?

MS. SANCHEZ. *(Nodded)*

MS. LOPEZ. ...the Procurement, that is her AOR.

On my end, Your Honor, I handle the frontline delivery of administrative support, such as disaster operations cen...the Disaster Operations Center, Legal Affairs Division, and also the Protocol Team. Those are matters that I have a direct hand into and information I am privy to. So, iyon lang po iyong aking areas of concern.

And there are areas, actually, in the Office of the Vice President, katulad...for example, let me just cite, if you allow me, Sir, the matter of the appointments or the scheduling of the courtesy calls, *et cetera*, on the Vice President. Although it may be true that high-ranking officials call me and say na, "Usec, Attorney, confirm mo

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naman iyong aming appointment with the Vice President." This is something that I have no say, direct say to, because this is all done by the Appointments Team.

In the same manner, the Protocol Team of the Vice President, although all the diplo...members of the diplomatic corps call me, as the head of the agency, as the highest aid...highest official, and as the Chief of Staff, it does not guarantee them that there will be a scheduled courtesy call because these are matters that are determined purely on that end. So, it's...if...I think it's a compartmentalized kind of setup, Your Honor, that there are only certain functions and tasks that I am privy to, in which case, that is the one that I have mentioned earlier.

But, although I would wish to answer, really, respectfully, as regards the matter of the confidential expenses, it is something that I have not really been privy to from the very beginning. So, in the case of the earlier questions by General Aco...ah, Congressman Acop, rather, it is something that I cannot really answer because I am not privy to the disbursement, utilization, nor liquidation of the confidential funds.

So, ganoon po siya, Your Honor. This...That is how it is run in the Office of the Vice President.

REP. GUTIERREZ. Okay. Thank you for the clarification, Atty. Lopez.

Well, I only mentioned that because it was the words of Atty. Sanchez that mentioned that you would probably be privy to the disbursement. I think it would be understandable...It would be an understandable statement on the part of Atty. Sanchez because the general understanding of a Chief of Staff, and being the sole Usec of that agency...

MS. LOPEZ. Yes.

REP. GUTIERREZ. ...there would be an understanding that there would be certain...ah, that you would have overall supervision.

Well, in relation to the SDOs, and in line with the circular, we also understand that they have specific responsibilities only to them, but we can't help but be puzzled po, 'no, and I understand you are telling us now that it is compartmentalized. But, still, we would think that, generally, the head of the agency would course things through you. Although necessarily separate iyong sa issue ng disbursement of the SDO, wouldn't other matters regarding the SDO, for example, administrative, or human resources, or logistics-wise, are they not coursed through you in relation to SDO? Because if I'm understanding it correctly, the job of the SDO would also entitle a lot of travel, as you've pointed out earlier. I mean, we've seen that maraming travel

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orders po ang ating SDO to the point na wala rin po siya today on the...because of official travel po, 'no?

So, in relation to that, there's a lot of intermingling pa rin. Although you might say compartmentalized, there are a lot of things that would go through you. I would understand that travel orders are signed by the Assistant Chief of Staff right now only because you were gone for the longest time. But, generally, you would be signing off on the travel orders of the SDO. Would that be a fair statement?...

(MS. ERLINDA C. REYES TOOK OVER)

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REP. GUTIERREZ. (Continuing)...fair statement?

MS. LOPEZ. Your Honor, I do not sign off on the travel order of certain officials or, in this case, the SDO. May I just confer kung sino lang iyong puwede kong pirmahan na travel authority?

In my case, Your Honor, in our... in the case of the Office of the Vice President, I can only sign off on the travels of Director Lynne Sanchez and Director Baloro, who is the Director for Operations. All the other travel authorities, I do not sign off on them. It is... HR?

VOICE. *(Did not use the microphone)* Yes.

MS. LOPEZ. Okay.

REP. GUTIERREZ. Mr. Chair, Attorney Lopez...

MS. LOPEZ. Yes.

REP GUTIERREZ. ...you're telling us now that even sa pag-sign ng travel orders, may clustering pa po kayo? You are only authorized to spe... issue travel orders for these two officials and then everyone else has different, parang boss? Ganoon po ba iyong sistema sa OVP?

MS. LOPEZ. Oo. I...

REP. GUTIERREZ. I hope you'd understand the confusion because we were presented before an organization and it all seem to be like a pyramid, downstream lahat, although there are clusters, everything is under you. But now we're seeing that there are limits to your responsibility? Are we understanding this correctly?

MS. LOPEZ. Your Honor, in our... in the Office of the Vice President, we have a certain delegation of authority. There's only certain papers or documents that get into the Office of the Chief of Staff. And there are also others that go directly to the office of Director Sanchez as well as the office of Director for Operations.

REP. GUTIERREZ. Mr. Chairman, Attorney Lopez, can you please guide us through also? Ano pa iyong ibang clusters? I think you mentioned Financial, Appointment, Protocol, Operations, of course, is what you are in charge of. What are the other clusters that we... so that we have an idea? So, in line with that, Attorney Lopez, so what you're saying now is confirming what Attorney Poa told us earlier, that if you take a deeper look into the OVP, napaka-compartmentalized. He used the same

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term, actually. It's very compartmentalized sa the OVP. So, you are affirming that now po?

MS. LOPEZ. Usec Poa said?

REP. GUTIERREZ. Na compartmentalized po iyong OVP. Sometimes what the left hand does, the right hand doesn't know. Parang what OV... si Attorney Poa, while Spokesperson, should be expected to know the ins and outs of the office, because precisely as Spokesperson, he will be relaying this information to the public. When we were asking him, he said compartmentalized po. He does not know about Confidential Funds. So, you, now as the Chief of Staff, you are now confirming na ang OVP po, despite the hierarchy that we see in the official organization chart, napaka-compartmentalized pala po iyong OVP?

MS. LOPEZ. Yes, that is correct, Your Honor. I am... I can only speak for my experience as the Chief of Staff. I cannot really speak for Attorney Poa, because there are certain areas in the OVP that I cannot really... I have no information on or I cannot really have a direct hand on how it... how it all operates, Your Honor.

REP. GUTIERREZ. So, Mr. Chair, in the operation of the OVP, rather than the usual hierarchy where it's a pyramid, where you have the large base with information or data or operations which passes information upwards to select supervisors, upwards again to director level, ASec, Usec, and finally to the VP, you're telling us now that the OVP operates in a hub-and-spoke type of situation wherein the OVP is central and then direct na lang po siya to the different... For example, OVP direct... direct kay Spokesperson, direct kay Chief of Staff, direct kay Attorney Sanchez for operating different clusters and each cluster doesn't know what the other is doing?

MS. LOPEZ. I can only answer, Your Honor, on my role as the Chief of Staff.

REP. GUTIERREZ. Yes. Sorry, and I'll just add to that po, 'no. I understand you can only speak as the Chief of Staff because what you're telling us now is that you have been compartmentalized only as the Chief of Staff. So, now you're telling me... what I'm trying to present now, and if you would agree with that, is that the VP is very hands-on but treats you separately. So, there's a, like I said, the hub-and-spoke, the VP is in the center and she deals directly with Attorney Poa for other matters which you might not know, then directly with you for Chief of Staff operations for matters that only

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you know, directly to Attorney Sanchez for matters that only the Finance would know, and you don't coordinate with each other.

MS. LOIPEZ. There are certain... there are cases, Your Honor, that that is, in my experience, that that is the case. For example, in the case of the Spokesperson, it is not something that I am also privy to, the instructions for the OVP Spokesperson. It happens, Your Honor, that way.

REP. GUTIERREZ. Thank you. I think this will be more... the compartmentalization of the OVP will be more relevant as we go on. But I'll just go back and focus on the SDOs. Thank you very much, Attorney Lopez.

MS. LOPEZ. Okay. Thank you.

REP. GUTIERREZ. So, iyon po. We had an idea, although Ms. Sanche... Attorney Sanchez mentioned that three persons were involved with the SDO. It seems to be narrowed down po, 'no. It looks to be, like with the DEPED, it's two people—we have SDO Gina Acosta and the head of agency, which is the Vice President.

So, para sa kalaman po ng lahat, iyong Joint Circular, it dictates there that the SDO is personally tasked with the disbursement and liquidation of Confidential Funds, and the head of agency is personally tasked to oversee. So, what Attorney Lopez has told us now, by excusing herself or by separating herself from the operations of the Confidential Fund, it now affirms what is in the Joint Circular. It is down to these two people. And in other words, iyong SDO po iyong inaatasan ng batas natin na humawak, humawak at siguraduhing mapunta ang Confidential Funds sa naaayon na confidential expenses. So, this is all in line with the Circular.

So, since we have questions ideally for the SDO, but given that Ms. Acosta is not here, I'd like to ask these questions to Attorney Camora.

Apologies, Attorney Camora, all roads lead to the COA so I'll have to ask you in relation to the Circular. So, we are affirming po, ano...

THE CHAIRPERSON. Attorney Camora, you are recognized.

REP. GUTIERREZ. ...we affirm po that the.... with the Joint Circular, it's usually the SD... it's only the SDO who is tasked with the disbursement of the Confidential Funds.

MS. CAMORA. Yes, Mr. Chair.

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REP. GUTIERREZ. To put more meat into this, we'd like to present po iyong certification, if the ComSec... if the Secretariat would be so kind as to flash it. The certifications for the OVP and the DEPED. Sorry, this is in relation po to the certification for the Confidential Funds. I think we have one sample, dated January 10, 2022, and for the DEPED, we have one sample, dated March 31, 2023. *(The sample certification was flashed on the screen)* Ah, there.

So, Attorney Camora, to the Chair, most respectfully, ito po iyong certification na sinasabi po natin. This is what is submitted, together with the liquidation report. Is that correct?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. And this is precisely provided under the Joint Circular?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. This is the exact language po, ano? This is... Is this an annex to the Joint Circular or is there a format that is provided?

MS. CAMORA. Yes, Mr. Chair. It's Annex B of the Joint Circular.

REP. GUTIERREZ. So as Annex B, even if the correct signatories are there—for example, it's signed by the SDO and signed by the head of agency and properly notarized—if it has been altered in any way that any of the provisions under the certification are different, hindi niyo po tatanggapin? It has to be worded precisely as Annex B provides, tama po ba?

MS. CAMORA. Yes, Mr. Chair. And it will require all of the signatures such as the head of agency.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. So, we take note po that that means that there are very specific things that are required to be certified as... to be submitted with liquidation report. And some of the things that stand out, it says here po, and I quote, "incurred by the undersigned". So, ibig sabihin po rito, it is the SDO that personally handles and disburses the money.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. That is basically the crux of the certification. And it just comes with other caveats.

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MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Like, for example, first, what is spent is in connection with the agency's intelligence and or confidential operations and activities. Is that correct?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. And it also says that, two, it cannot be used for payment of salaries, wages, overtime, additional compensation, allowance or other fringe benefits of officials and employees.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. And third, that the expenditures are necessary and utilized for legal purposes.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. So, this means that the SDO should personally know the disbursements and the expenses incurred and that he would... he should have personal knowledge of all of this. That is basically what the certification is saying.

MS. CAMORA. Yes, Mr. Chair.

And this, hand-in-hand with the liquidation reports, would affirm again the responsibility of the SDO to disburse the Confidential Fund in accordance with the provisions of the circular?

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Since the SDO handles the fund personally, it necessarily follows that he gives the money. Is that correct? And I believe you answered this with Congresswoman Garin.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. You mentioned actually that there could be possibly multiple SDOs.

MS. CAMORA. They could designate many SDOs.

REP. GUTIERREZ. From all of our agencies po and departments and GOCCs that would have CIF or IF, how many po would have only one SDO?

MS. CAMORA. Actually, Mr. Chair, most have only one SDO...

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MS. CAMORA. (Continuing)...one SDO. It is the agencies that have multiple SDOs that are fewer.

REP. GUTIERREZ. Okay. So, mostly have one SDO.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. And in that case, that SDO is the one in-charge for that thing and it cannot be delegated further.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Okay. So, for example, if we have an informer, which is basically what the CF is for, ano, if you have an informer who needs to be paid, it is the SDO who personally pays this to them.

MS. CAMORA. That is the presumption...

REP. GUTIERREZ. That is the presumption.

MS. CAMORA. ...based on the certification, Mr. Chair.

REP. GUTIERREZ. And based on the requirements of the circular, it cannot be delegated. So, the presumption should be reality, 'no.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. And that is the understanding of the COA.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. That it is them who personally handles it. And it was them who personally receives the acknowledgment receipt.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. So, the SDO cannot give it to another employee. For example, out of the 125 million specific, for example compartmentalized daw, clustering. So, ikaw sa rewards of medicine, ito 20 million. And then siya na po iyong in charge sa, ano...and then whatever AR is that delegated person would receive would pass it on to the SDO. That is not allowed under the circular.

MS. CAMORA. Even if he or she does that, he or she is the one ultimately accountable for those funds based on his or her certification. So, it's under his responsibility pa rin po.

REP. GUTIERREZ. Yes. So, basically, command responsibility siya pa rin.

MS. CAMORA. Yes.

REP. GUTIERREZ. But if that were the case, that is not in line with the circular because it should be personally disbursed by the SDO. Correct?

MS. CAMORA. Yes, Mr. Chair.

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REP. GUTIERREZ. So, we can't be too sure that the SDO...if it were the case that it were delegated, the SDO would not be able to certify it in such a manner...

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. ...because, supposedly, it's saying there that he is the one who actually disbursed the money.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Okay. And this is the same for payments of rewards. This is not just for the handling of funds in general...

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. ...even for payments of rewards and information it goes the same way.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. The SDO gives payment directly to the recipient and the recipient supposed to give the AR or any DEPs that are in relation to that.

Ms. Camora...Atty. Camora, so, these acknowledgment receipts were submitted by the OVP and the DEPED to COA. This is the proof, this is the documentary evidence of payment that is required by the circular. And now we have that understanding that you confirmed now that the SDO personally handles the same. They handle the funds and they handle personally the DEPs.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. So, if there is any doubt to the confidential funds, if there is any doubt at all to the DEPs, any doubts to the ARs, which have been hammered down in the last hearing and now in this hearing, these all points down to the SDO. This is their personal responsibility under the joint circular.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. So, for example, one of the things that we've pointed out last time, in relation to the dates, if there is any problem with the date of the AR, it would be...it should have passed to the SDO.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Because unlike, for example, in our usual po natin, Atty. Camora, let's say on usual transaction, pumunta ka sa mall, bumili ka ng pagkain, magbibigay ng resibo, you wouldn't pay a second thought on that OR because usually you don't have to liquidate it anywhere. It's just a piece of paper. But as an

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SDO in which you have a personal responsibility, nakataya pera mo pa rin kasi naka-bond ka po to the Treasury.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. So, you would have to check and make sure that all of the ARs are accurate.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Including the date.

MS. CAMORA. Yes, Mr. Chair. Since one of the responsibilities under the joint circular is to disburse the CF and IF in accordance with the provisions of this circular.

REP. GUTIERREZ. So, in the circular requires an acknowledgment receipt and an acknowledgment receipt would require the date. So, the date, having been filled in for the AR and received by the SDO, the SDO has the responsibility to make sure that it is correct.

MS. CAMORA. Yes, Mr. Chair. Although the requirement is documentary evidence...

REP. GUTIERREZ. Documentary evidence.

MS. CAMORA. ...of payment.

REP. GUTIERREZ. So—I'm sorry—but yes, the AR, as the DEP...

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. ...would be required to have gone under scrutiny of the SDO. So, if we had 158 ARs, which have a supposed typographical error, shouldn't the SDO have caught on since they personally gave the money and received the receipts? He would check the receipt kung tama iyong pangalan, may signature, tama iyong purpose, and the date. So, the 158 times na mali iyong date, supposedly, 158 times na dumaan po ito sa SDO.

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. Thank you.

So, with that, we'd like to ask the COA. I know we've asked this before already but we're looking into the responsibility of COA. You have already mentioned many times that the ICFAO would only be concerned with the submission of the DEPs. And that you would look no further because generally parang ministerial na lang to a point. But shouldn't it have raised some red flags po, especially now in hindsight with 158 typographical errors ng dates?

MS. CAMORA. Well, because of our...of these...our hearings here, we're kind of looking into this that we should be a little stricter on our audit from now on. So...

REP. GUTIERREZ. We understand po, 'no, you've mentioned before that one of the limitations of your office is manpower. And I think...

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. ...one thing that the Committee will be working on in aid of legislation is to strengthen po the COA that you would have the proper manpower support to make sure that this does not happen again.

MS. CAMORA. Ah, yes.

REP. GUTIERREZ. I think that's one thing, personally, this Representation would like to push forward for the consideration of the Committee. With that said, so, I hope now the ICFAO would take into special consideration, not only the impossibility of typographical errors, the frequency of it occurring, the time span in which it happens and, of course, now, as mentioned by Congressman Adiong, we've seen earlier that there are problems even to the multiple names with different signatures. This should have raised a red flag. And, of course, the bogus names that were raised by Congressman Acop, such as Mary Grace Piattos. So, these are things that I hope that the ICFAO would be more stringent with.

But there's one more matter. Aside from that, which we have brought up from the previous hearing that I hope that you could consider, upon studying po iyong DEPs natin, and we've already...we're already know that there's a question about the time span and which that it was disbursed. Alam nating questionable iyong 11 days na 5 days pa nga po ay holiday, na-disburse po ito lahat. But one more thing we've considered, now that you have affirmed to us, now that we understand it better na iyong SDO is personally in charge of disbursing the funds, we collated po iyong ating mga DEPs and we've seen po, for example, for this is, I think, the DEPED. So, this will be by Mr. Fajarda. For the...I believe this is the 1st quarter of 2023, they submitted on 31st of March, there were disbursement everyday po, 'no, since the release of the cash. And that disbursements, they would go...not go less than 10 times a day po. If you could see po in the chart, this is what we've seen. You would notice that the ARs, it would say the address or location. This is one thing part through with the DEPED. Aside from the name, the signature, and the date, mayroon pong locations.

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So, on February 21, 2023 *or the very next day after the SDO encashed the* 37.5 millions in checks, lumabas po sa acknowledgment receipts that SDO Fajarda made seven disbursements already. This is the day after in seven different locations. And the locations are Malolos, Davao, San Francisco, Agusan Del Sur, Makati City, Negros Oriental, Negros Occidental, and Davao City. So, the very next day, as I would assume, the check was issued it was enchased in Land Bank under the Shaw Branch, tama po ba for DEPED?

MS. CAMPOSANO. DEPED Branch.

REP. GUTIERREZ. *The DEPED Branch. So, the DEPED branch that is what* city po here in NCR?

MS. CAMPOSANO. Pasig, Sir.

REP. GUTIERREZ. In Pasig po na-encash and immediately the next day, he travelled to these seven places and have the seven ARs. Did this not raise a red flag of the impossibility of this occurring?

MS. CAMORA. Well, it does, Sir, although during our review, somehow, we just accepted the acknowledgment receipt.

REP. GUTIERREZ. *For reasons you have already stated earlier po, 'no,* Atty. Camora.

MS. CAMORA. Yes po.

REP. GUTIERREZ. And in addition to this, if you go to the day of the 1st quarter that had the most disbursements, which is March 15, 2023, SDO Fajarda supposedly made 26 disbursements in the following locations—Davao Del Sur, Surigao Del Sur, Oriental Mindoro, Laguna, Zamboanga Del Sur, Cebu, Ifugao, Antique, Batanes, Pampanga, Legazpi, Lanao Del Norte, Batangas, Tarlac, Metro Manila, Samar, Davao de Oro, Agusan Del Norte, Davao Del Sur, Davao de Oro, Laguna, Cavite, Surigao Del Norte. Atty. Camora, let's give him a helicopter, I don't think he'll do that in one day.

So, it really raises this question, how did SDO Fajarda certify and say that he personally disbursed this. Buti na lang po iyong DEPED ARs have locations. So, it really shows kung saan po sila. Unlike the DEPED ARs, iyong OVP po wala. Iyong OVP would only have the name...the purpose, the name, the signature, and the date, that's it, and the amount. Pero, here, we could see in DEPED, it seems to be really *impossibility. So, we could see the theme...not really the theme po but what we're* driving at here. Earlier, according to Congresswoman Garin, and I understand the frustration, there is the physical impossibility of the delivery and encashment of the

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cash. The questions regarding that surrounding where it was brought. And then now even the physical impossibility of the disbursement. Iyon naman po iyong tanong dito. If truly SDO certifies that he or she is the only person and...yes, personal knowledge of disbursement, as personal knowledge has gone through the DEPs, how do we explain this? It looks like from north to south, tip to tip ito ng Pilipinas. May Batanes pa rin po. So, these are just...

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REP. GUTIERREZ. (Continuing)...these are just some of the questions that we have. And if we look at the chart earlier, it happens multiple times. From February 25, there were 21 disbursements across 18 different localities; February 27, 21 disbursements across 18 localities; March 3, and the list goes on. And if you notice the chart, everyday po iyon, everyday po may disbursement. So, it really raises the question po, ano...

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. ...about the legal...the veracity of the certification. We... We were now seeing the... the consequences of our current format that we have, that a simple signature, which the COA just blindly...not to fault you. Again, we understand the reasons that you have, that you lack manpower and all that. But napakahirap po ito because we are talking about the most difficult to account for—Confidential Intelligence Funds po, ano.

So, if I may continue, Attorney Camora, and, again, I understand your frustration. We wanted to ask... I wanted to ask this to the SDO personally. I think they would have been able to answer, but on the light side na lang po to make the most of the information that we have. At least, on the side of the COA, that you understand the frustration of this Committee and that you understand po where we'd want to proceed with this. It goes the same with the OVP.

If I may continue, Mr. Chair, the pattern in the OVP is that even if it does not have the locality or the address, the disbursements are really dubious and curious because it really makes use of these disbursements in a way that you would find hard to believe. Just the number of disbursements given in the number of days, it really raises some questions po, ano. Like, for example, on December 23... December... 23 of December 2022, this is close as in relation to what Congressman Acop mentioned, there are a lot of holidays in those 11 days. And, in fact, noche buena would have been the number one thing that people will be preparing for. But on the eve of Christmas or the day before, when you would be preparing for the eve of Christmas, on December 23, at least 103 individuals received a total amount of 15 million pesos. I mean, just... 15 million pesos for 103 individuals. If truly the SDO is certifying that personally, she...I think this is SDO Acosta, she disbursed this, it really raises a

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question, kung... the possibility po, 'no, of how they did this. So... And this would include a bunch of things, 'no. It's very much... payment of reward, payment of information, medicine, safe houses were also included there. Given the various clusterings, if you would call it that, parang it leads to the, I would not say impossibility, the improbability of the ARs submitted. So, I think we really need a strict scrutiny po, 'no, of the DEPs that are being submitted.

I just like to point out that, based on the study, the days where the OVP gave Confidential Funds over hundred recipients, all happened in 2022. And this is the time that had the 11-day period. So, you could see na... I don't know if it is intentional, pero minadali po talaga. There was really quick disbursement.

And in line with that, just one last question, Attorney Camora, and which was brought up by Attorney...Congressman Acop. He was driving the point with Attorney Sanchez that you could obligate the Confidential Funds. If you don't consume, for example, because this is cash advance system. You advance 125 for December of 2022 and you only consumed, for example, 100 million. Does that mean mawawala na po iyong 25 million or does it carry on to the next quarters?

MS. CAMORA. Ah...

REP. GUTIERREZ. Sorry, let's... that's not in 2022, kasi last month na iyon. Let's say for iyong GAA provided na CIF. If in the first quarter of 125 million, na-consume lang po is... or what's justified is 100 million, what is the effect for the second quarter? Can they disburse 150 million or are they limited still to the quarterly limit of 125?

MS. CAMORA. Mr. Chair, the cash advance is for the whole year. So, as long as the cash advances are within the year and the last cash advance was liquidated, they could cash advance again for the next, like, quarter or the next, yes, quarter since most of them do it quarterly.

REP. GUTIERREZ. So, for example, on the 31st of March, I've consumed 100 and I justify with the liquidation report of 100 million, I still need to justify the 25 left even beyond March 31, that would be allowed for the first quarter?

MS. CAMORA. May... Can you repeat po?

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REP. GUTIERREZ. Sorry. So, yung first quarter po mayroon tayong cash advance of...

MS. CAMORA. Yes, Mr. Chair.

REP. GUTIERREZ. ...125 million. Ang na-consume mo lang po ng opisina ay 100 million lamang, may 25 million po na balance. Does that mean I can only...I would still... I can still justify the 25 million after March 31?

MS. CAMORA. No, Mr. Chair. The... If it has been cash advanced for that period and the amount that was unutilized should be returned to... should be returned by the SDO.

REP. GUTIERREZ. Ah, it should be returned by the SDO.

MS. CAMORA. Yes, Mr. Chair

REP. GUTIERREZ. Iyong sinasabi po ni Congressman Acop...

MS. CAMORA. Since iyong liquidation po is iyong buong amount po dapat.

REP. GUTIERREZ. But it could be obligated in that time. It doesn't have to be disbursed. You could obligate for the 25 million para hindi na ma-return. I believe that was the point that Congressman Acop was making.

MS. CAMORA. Puwede naman po yata.

REP. GUTIERREZ. Puwede.

MS. CAMORA. As long as it is still within the year of the...it is still within the year, so, yung cash advance is still for the year.

REP. GUTIERREZ. Thank you, Attorney Camora.

So, iyon lang po. Just to manifest, it really drives the point that it seems to be... there are questions po with the timing and the accompanying DEPs. And I'm sure that we're still going to go back to this. We have other questions but, unfortunately, wala po iyong ating SDO, so, I'll have to hold on to that.

Mr. Chair, with that, I yield to other interpellators.

Maraming salamat po.

REP. FRANCE L. CASTRO. Just an interjection, Mr. Chair.

THE CHAIRPERSON. Yes, Congresswoman France Castro, you are recognized.

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REP. F. L. CASTRO. Yes. So, excellent, 'no, iyong pinakita nating pag-a-analyze noong utilization, noong Confidential Funds in 2023. And even in 125 in 2022. The possibility, the improbability, physically, noong pagbabayad ng SDO, nito, doon sa mga binanggit natin, ano, na kung ito man ay reward or whatever or reward.

So, anong... ano ngayon ang gagawin ng, Mr. Chair, gagawin ng COA doon na obvious na obvious na sa pag-a-analyze natin, even Attorney Camora, nagsasabi siya na parang imposible. Tama ba iyon? In one date, in one day, in different ano, in different places magagawa ba ng SDO na pumunta para bayaran iyong mga sinasabi natin na dapat na bayaran in a day? Sabi ninyo kanina at sabi naman... sabi natin kanina, 'no, imposible. So, that is... iyong, ano, 'no, sa... sa pagre-review ninyo nung ipinasa na mga acknowledgment receipt, *et cetera*.

So, Mr. Chair, ang tanong dito...kasi hindi lang tayo ang matatapos na... ito na iyong nangyari. Parang nakakatawa na talaga, eh. Ano iyong SDO na iyon, Mr. Chair, lumipad mula sa isang lugar patungo sa isang lugar? In eight.... in eight places lumipad, kung siya lang talaga iyong nagdi-disburse. So, talagang ano, 'no, talagang parang pinapatawa tayo, 'no, pinapatawa ang taong-bayan ng Office of the Vice-President na nagagawa ito, 'no.

So, ano ngayon ang gagawin ng COA? Are you still going to accept those acknowledgment receipt or those na mga disbursement na tingin natin ay panloloko lang...niloloko na tayo, 'di ba? Niloloko tayo—taong-bayan. So, ano'ng gagawin po ng COA, Mr. Chair? Gusto kong malaman. Are you going to...ire-review ninyo ba ulit, ibabalik ninyo iyan, or kailangan ninyo nang mag-desisyon ngayon kung dapat iyan na iyong pondo na ito ay ibalik iyan sa pondo ng taong-bayan? So, ano po iyong puwedeng moving forward doon sa iprinesent *(present)* po ni Representative Rodge Gutierrez, Mr. Chair? Ano'ng gagawin ng COA doon?

MS. CAMORA. Mr. Chair.

THE CHAIRPERSON. Attorney Camora.

MS. CAMORA. Mr. Chair, actually, we...we are thankful to the...iyon nga po... to the Body for pointing this out to us. Since for us naman po, as auditors, we presume this as iyong regular...regular, ano po. But since these things have been

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pointed out, I think we will be basing our reviews na based on what has...with what we have discussed here in this hearing.

And as to the cases po ng sa OVP and DEPED, iyong sa 2023, especially po, AOM pa lang po iyong status noong... noong audit actions namin and under review pa rin po iyong mga compliance nila. So, we will take po in consideration lahat po ng napag-usapan natin and be more circumspect in our review. Although mahirap since iyon nga po marami pong transactions. But moving onwards, siguro po, iyon, i-apply po namin lahat noong mga learnings namin dito sa hearings na ito, although mahirap po talaga.

REP. F. L. CASTRO. Kahit na common sense i-apply niyo diyan, 'no. Kahit na common sense, Attorney Camora, i-apply niyo diyan.

MS. CAMORA. Yes po.

REP. F. L. CASTRO. Talagang imposible, na talagang ito, maaaring ibinulsa...

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REP. F. L. CASTRO. (Continuing)...ibinulsa, 'di ba, o maaaring kung saan na napunta. Kaya imposible iyong nangyari na sa isang araw pumunta ka sa iba't ibang probinsya para mag-disburse, 'no?

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. Imposible iyon. At gamitin naman natin iyong ano, 'no, iyong kahit na konsensiya or kahit na common sense para diyan ho. At gusto natin na... Dahil ito ay under review, sinasabi ninyo, hanggang kailan po, Mr. Chair, iyong review nito?

MS. CAMORA. Hindi pa po namin masabi, Mr. Chair, since ang mga involved po ay kasama ho dito sa hearing madalas. So, we will try po as soon as ano, kung...

REP. F. L. CASTRO. Okay. So, Mr. Chair, 'no, I hope iyong COA would be prudent enough, ano, at saka talagang tingnan ninyo talaga kung paano ginagamit ng Office of the Vice President at saka ng DEPED before itong confidential funds.

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. Thank you, Mr. Chair.

REP. A. D. GONZALES. Mr. Chairman, can I...

THE CHAIRPERSON. Okay. With the indulgence of Congresswoman Luistro, the Chair would like to recognize Senior Deputy Speaker Dong Gonzales.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

Mr. Chairman, I would like to address my question lang na dalawang...three items lang kay Atty. Zuleika Lopez.

Ma'am, who is your Assistant COS? Who is your Assistant Chief of Staff po, Ma'am?

MS. LOPEZ. The Assistant Chief of Staff is Mr. Lemuel Ortonio, Your Honor, Mr. Chair.

REP. A. D. GONZALES. Sino po ang pumipirma sa travel order ni—ano'ng tawag dito?—si Lopez...si ano, si Ortonio, iyong nasa abroad? Ano'ng pangalan noon?

MS. LOPEZ. Ako po iyon.

REP. A. D. GONZALES. Hindi. Iyong si... Ano'ng pangalan nito? Sino'ng pumipirma sa mga travel order ng ano ninyo, ng office?

MS. LOPEZ. In the OVP, Your Honor, there is a delegation of authority. There are certain officials that I sign for in the travel...their travel authority; there are also other officials that Mr. Ortonio signs for.

REP. A. D. GONZALES. No. Who signed the travel authority pala of Gina Acosta?

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MS. LOPEZ. *In the travel authority showed to me, Your Honor, it is Mr. Lemuel* Ortonio.

REP. A. D. GONZALES. Okay. Number two question, Ma'am, if tama po, hindi po ninyo puwedeng i-recall iyong travel order ni Gina Acosta to attend the hearing as Chief of Staff, Ma'am? Ikaw, Ma'am, ang Chief of Staff, 'di ba ho?

MS. LOPEZ. Yes, that is correct. No, I was just...I was also asking Director Lynne kung ano'ng dates po siya, iyong covered ng travel authority. We will consider, Your Honor. We will consider.

REP. A. D. GONZALES. No, no, you just answer my question, Ma'am. If yes, you can recall the travel order of Ms. Acosta, Ma'am. You are the boss.

MS. LOPEZ. I was not the person, Your Honor, who issued the travel authority.

REP. A. D. GONZALES. Precisely po. Precisely po.

MS. LOPEZ. Yes. But we will...

REP. A. D. GONZALES. So, meaning to say, if you cannot...if not, if you cannot answer, they are not really using the travels. Umiiwas lang po sa pag-attend nitong hearing na ito. Tama ho ba?

MS. LOPEZ. *Your Honor, I cannot... Like I mentioned earlier, kakabalik ko lang* ho. I will have to study and look into the matter.

REP. A. D. GONZALES. Okay. I have two questions. Number one, kung yes, you can recall the travel authority of Ma'am Gina Acosta; and, number two, kung hindi, iniiwasan lang pong um-attend dito sa ating hearing ng Good Government. Tama ho ba, Miss...

MS. LOPEZ. Your Honor, as to the earlier suggestion on your end to recall the travel authority, I will look into it, Your Honor, and consider. But, as I mentioned earlier, *kakabalik ko lang ho sa opisina and the travel authority is not something that I saw and* have gone through. Ngayon ko lang po nakita through the phone of Director Sanchez. But we will consider Your Honor's recommendation.

REP. A. D. GONZALES. Yes, please. Give me the date lang po kung kailan pinirmahan ng Assistant COS ninyo iyong travel authority ni Gina Acosta.

MS. LOPEZ. Just a moment, please. Your Honor, the document indicates that it was signed November 14, 2024, Your Honor, Mr. Chair.

REP. A. D. GONZALES. Saan po siya nagpunta, Ma'am?

MS. LOPEZ. *Si Ms. Gina Acosta po?*

REP. A. D. GONZALES. Opo.

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MS. LOPEZ. All right. Per Travel Order No. 2024-1036, in the interest of public service, with... Your Honor, I would like to read the entire travel order *in toto.* "Gina F. Acosta is hereby authorized to travel on official business to continue the monitoring and facilitation of the preparations and rollout of OVP anniversary activities in various areas on November 18 to 22, '24. Then, while outside her official station, she's authorized to collect allowance for daily travel expenses, incur actual travel expenses, in accordance with Executive Order No. 77-2019, chargeable against OVP funds, subject to existing budgeting, accounting, and auditing rules and regulations, including, but not limited to, the internal financial controls and spending guidelines." The date is November 14, 2024, Your Honor.

REP. A. D. GONZALES. Attorney, ano'ng trabaho po ng SDO? 'Di ba, SDO po si Gina Acosta? Meaning, SDO, siya ang disbursement officer ng ano, ng OVP. Bakit siya ho ang umiikot regarding the...for the anniversary of OVP?

MS. LOPEZ. Okay.

REP. A. D. GONZALES. Meaning to say, November 18 to 22.

MS. LOPEZ. Okay.

REP. A. D. GONZALES. Outside the country ho ito?

MS. LOPEZ. No, Your Honor. It is within the country. It is within the country. As regards to the question, earlier question, what is the work of Ms. Gina Acosta?

REP. A. D. GONZALES. Yes, Ma'am.

MS. LOPEZ. Just a moment. Okay. Your Honor, Ms. Gina Acosta is a Vice Presidential Officer VI, Staff VI, of the OVP. And, as such, apart from being SDO, she is also responsible for...she has also other tasks and functions, Your Honor.

REP. A. D. GONZALES. So, she is concurrent. So, Staff VI, and then she's an SDO also. Concurrent siya, Office of the Vice President...

MS. LOPEZ. I understand the SDO is a mere...is a designation only, Your Honor. She is a VPSO. That is her position title.

REP. A. D. GONZALES. Okay. Thank you.

Pero, Ma'am, puwedeng ma-recall mo iyong travel order niya para mag-attend siya sa next hearing, si Ms. Gina Acosta?

MS. LOPEZ. Okay. We will consider, Your Honor, the recommendation.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

MS. LOPEZ. Thank you also.

THE CHAIRPERSON. Thank you.

REP. SUAREZ. Ma'am, just point of clarification lang.

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THE CHAIRPERSON. Yes, DS Suarez.

REP. SUAREZ. Sorry. With the indulgence of Congresswoman Luistro. Kailan po ba iyong anniversary celebration?

MS. LOPEZ. The exact date for the OVP 89th Anniversary, Your Honor, is November 15, last November 15. However, in celebration of that particular anniversary, we have actually a month-long series of activities, Your Honor, as confirmed by our Director for Operations.

REP. SUAREZ. So, your anniversary is on the 15th.

MS. LOPEZ. November 15, yes.

REP. SUAREZ. That was five days ago.

MS. LOPEZ. That is correct.

REP. SUAREZ. Correct, right?

MS. LOPEZ. Yes.

REP. SUAREZ. You knew about this hearing... When did we...ComSec, when was our last hearing? November 11. So, that was nine days ago. We're November 20 now, eh. So, in between that time, it's impossible, it is humanely impossible for the second highest office in the land not to know about the hearing on Good Government. So...and you've already celebrated. You said the celebration was on the 15th.

MS. LOPEZ. That is correct, Your Honor.

REP. SUAREZ. Yes. And from what I understand, I think on a memo that was released by the Office of the Vice President, the celebrations are supposed to be simple. That is correct, right?

MS. LOPEZ. That is true, Your Honor.

REP. SUAREZ. So, how can you have a simple celebration that would last a month?

MS. LOPEZ. Your Honor, this...

REP. SUAREZ. So, you're saying you're celebrating...

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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REP. SUAREZ. *(Continuing)*...celebrating the anniversary of an office from November 15 to December 15?

MS. LOPEZ. Your Honor, when we mean...when we say celebration, we simply mean the rollout of projects and activities across the country, Your Honor, in our various satellite offices, wherein in most cases the Vice President will be present also to celebrate with the satellite offices.

REP. SUAREZ. Okay, yes. So, under...I understand.

MS. LOPEZ. It is simple, actually. It's a simple program, Your Honor.

REP. SUAREZ. I understand that but you know what, it's not a legitimate reason for, number one, it is Special Disbursement Officer. An SDO doesn't supervise over events. I would expect the Chief of Staff to supervise over events. I would expect maybe an Executive Assistant to supervise over events. But why a Special Disbursement Officer whose primary focus is money, finance, supervising over preparations for events? Is Gina Acosta an events specialist?

MS. LOPEZ. Your Honor, Ms. Acosta's task as SDO is a designation on her end. Her real...her position title is really Vice Presidential Staff Officer VI.

REP. SUAREZ. Hindi, iyong Edward Fajarda, where is he? Is he also supervising celebrations? Ano ba ito naging event specialist na ba tayo? Sunshine Fajarda, missing also, is she also supervising events? Ano ba sila, sila mag-e-emcee noong event? Sila ang in charge sa physical preparations? Hindi ba kayang gawin ng mga satellite offices ninyo iyon? Nandito iyong mga satellite offices ninyo. Can I...

Who is in charge of the satellite offices? Yeah. You cannot handle an anniversary preparation? It's yes or no. Can you handle an anniversary preparation? Can you handle the rollout of programs?

MR. CHRIS G. SORONGON (Lead, Panay and Negros Islands Satellite Office, Office of the Vice President). Yes, Mr. Chair.

REP. SUAREZ. There you go, Atty. Lopez, they can. They do it. They do it in a regular basis. Do you do it in a regular basis?

MR. SORONGON. Yes, Mr. Chair.

REP. SUAREZ. So, why supervise?

MS. LOPEZ. Again, for the record, Your Honor, I only saw the travel authority...

REP. SUAREZ. Anyway, yeah. So...

MS. LOPEZ. ...right now.

REP. A. D. GONZALES. Mr. Chair.

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REP. SUAREZ. Ma'am, can you just do me a favor, Atty. Lopez? With the indulgence of Congressman Gonzales, tawagan mo nga. Sigurado naman akong sasagot sa iyo iyan, eh. Ikaw ang Chief of Staff, eh.

MS. LOPEZ. I would just try to reach out, Your Honor.

REP. FLORES. I already asked her to do that a few minutes ago, Mr. Chair.

REP. SUAREZ. Ha?

REP. FLORES. I already asked her an hour ago to contact his...the vice or assistant.

REP. SUAREZ. *Baka nasa ibang planeta, eh. Anyway, so sorry for my* statement.

MS. LOPEZ. Respectfully...

REP. SUAREZ. Congressman Gonzales...

MS. LOPEZ. Respectfully, Your Honor, Mr. Chair, I can only really reach out. If he does not want to get in touch or revert, I cannot force Mr. Ortonio. But I already texted him. I already texted him, Your Honor.

REP. A. D. GONZALES. Mr. Chairman, if I may. Sabi mo iyong anniversary ng OVP is November 15, *at sabi mo doon sa authority...letter of authority to travel* is for the preparation of the OVP anniversary. So, ang date po ng authority niya is November 18 to 22, meaning to say, tapos na po iyong anniversary bago ninyo binigyan ng letter authority to travel. So, kayo po nagsabi nito kanina. Ang anniversary ninyo is November 15, pero ang reason is for the preparation of your OVP anniversary. Parang tapos na ho iyong anniversary at binigyan ninyo siya ng TA ng November 18 to 22.

MS. LOPEZ. Opo. Your Honor, for the record, the Office of the Vice President *has one central office, 10 satellite offices and two extension offices. There are a series* also of activities happening in various locations but it does not all happen in one day to give time to the Vice President to participate in the activities of the satellite offices. That is why, Your Honor, it was scheduled month long. That is the reason.

REP. A. D. GONZALES. Okay. Thank you, Mr. Chairman.

MS. LOPEZ. Respectfully.

REP. BONGALON. Mr. Chair, one question only. May we...

THE CHAIRPERSON. Congressman Jil.

REP. BONGALON. *Puwede ba malaman namin sa OVP kung sino iyong* official na in charge doon sa pag-book ng plane tickets, also with the accommodation. Just to know the whereabouts of these officials, Mr. Chair.

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MS. LOPEZ. I *have...I just...I have no personal knowledge on this matter.* Maybe the Director for Admin.

REP. BONGALON. How about the other officials from the OVP?

THE CHAIRPERSON. Atty. Sanchez.

MS. SANCHEZ. Thank you, Mr. Chair.

Mr. Chair, we have a travel arranger in the office under the Procurement Division. But she's only...

THE CHAIRPERSON. Ma'am, wala rin kayong alam, to cut the long story short.

MS. SANCHEZ. No, Mr. Chair.

THE CHAIRPERSON. Kawawa naman iyong opisina ninyo, lahat hindi alam kung nasaan iyong mga tao ninyo. Nagkaroon na yata kayo ng amnesia lahat. Ano po ba'ng nangyari sa opisina ninyo? Lahat walang alam, from the Chief of Staff down to the Department Head. Lahat hindi alam.

MS. SANCHEZ. Mr. Chair, for the...

THE CHAIRPERSON. Or mayroon po kayong pinagtatakpan.

MS. SANCHEZ. Mr. Chair, for flights bookings, Mr. Chair, there is a person *assigned to flight bookings, Mr. Chair.*

REP. FLORES. Mr. Chair, I think that is procurement under her office, Mr. Chair. At right...Atty. Sanchez, can you not call that person now? I'll give you five minutes po.

MS. SANCHEZ. Yes, Mr. Chair.

REP. FAUSTINO "INNO" A. DY V. Mr. Chairman.

THE CHAIRPERSON. The Chair would like to recognize Congressman Inno Dy.

REP. F. A. DY. *May we also ask what exactly is the event that's currently* happening today. Mayroon ba po tayong...I don't know if I missed it earlier, Ma'am, that they have to attend to. Ano po ba iyong event or program na ginagawa ngayong araw na ito na inaatendan (*attend*) noong mga staff po ninyo?

MS. LOPEZ. Okay. Your Honor, for this question, may I refer you to our Director for Operations.

REP. F. A. DY. Okay.

MS. LOPEZ. Director Baloro, please, go ahead.

MR. NORMAN B. BALORO (*Director, Operations Office and Officer-in-Charge Special Projects Division, Area and Constituency Concerns Division, Office of the Vice President*). Thank you.

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Mr. Chair.

THE CHAIRPERSON. Yes. You are Mr. Norman Baloro.

MR. BALORO. Thank you.

Mr. Chair, the programs for the month of November...

REP. F. A. DY. No, no, no, for today.

THE CHAIRPERSON. For today.

MR. BALORO. Yes. This is for the OVP Thanksgiving Ceremony, Your Honor.

REP. F. A. DY. Where...may idea po kayo, details of the event or the program?

MR. BALORO. *For the event, Your Honor, it's somewhere in Caraga, Your* Honor.

REP. F. A. DY. Somewhere in...

MR. BALORO. Caraga.

REP. F. A. DY. Caraga. Wala po kayong exact venue or details of...

MR. BALORO. No, Your Honor, because we have also our satellite lead who is also assigned in Caraga, Your Honor.

REP. F. A. DY. Can we ask the head of the satellite offices, so can you coordinate with them? *Ano po ba iyong exact program natin ngayong araw?*

THE CHAIRPERSON. Si Ms. Regina Tecson.

REP. F. A. DY. Of course, we just have to ask...

THE CHAIRPERSON. Sino po iyong head ng satellite?

REP. F. A. DY. ...kasi nga po we're all confused, eh. Nasaan po iyong mga taong ito, ano po iyong mga programa ngayong...

MS. REGINA ROSA D. TECSON (Lead, Davao Satellite Office, Office of the Vice President). Maayong hapon kaninyong tanan.

Mr. Chair, for today, the activity is in Caraga, I think in Gingoog. But the exact details will be under the satellite lead in Caraga.

REP. F. A. DY. Do we have any coordination po with the satellite team in Caraga office, Ma'am?

MS. TECSON. I will refer you to the Director of Operations because we are all under the...operations.

REP. ADIONG. Mr. Chair. Mr. Chair, just...may I...

REP. SUAREZ. This has...

THE CHAIRPERSON. *Ma'am.*

REP. SUAREZ. Mr. Chairman, we cannot have a...ano ito referral office? Lahat na lang ng tanong ire-refer dito, ire-refer diyan, ire-refer dito. Wala ba kayong...

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THE CHAIRPERSON. Pero ako po nasu-surprise kasi iyong Director ng Operation nandirito, iyong Special Project Division nandirito, pero iyong SDO, iyon ang umiikot.

REP. ADIONG. Mr. Chair.

THE CHAIRPERSON. Hindi ba dapat iyong operation ang umiikot, hindi iyong SDO?

REP. ADIONG. Mr. Chairman, may I interject.

THE CHAIRPERSON. Yes, Congressman Zia.

REP. ADIONG. Just a very, very brief lang po. I think there seems to be a disconnect. Parang it's not only may...hindi nagko-coordinate but disconnect. I think that's...kayo po iyong ano, 'no, head ng operations, Mr. Baloro, 'di ba?

MR. BALORO. Mr. Chair.

REP. ADIONG. I think, Mr. Chair, you should know because you are at the central office, eh, 'di ba, mga satellite offices? Are you telling us that the satellite office work independently from yours or may...they don't...they don't at least send to you... I presume that's a very important occasion or activity. So, I mean, you have a simple question asked by Congressman Inno Dy. You cannot even tell us...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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REP. ADIONG. (Continuing)... tell us the exact location what program is this? I mean, you're supposed to know everything because these are satellite offices, eh. Are you telling us that you have...seem to don't...you don't care at all to even know the details? Kayo po ang iyong sa Central Office, eh, these are satellite offices. I mean it seems to be a disconnect kasi nagtuturuan po kayo, eh.

THE CHAIRPERSON. Isa lang po ang maliwanag dito, eh. From chief of staff down to the director puro walang alam, eh, parang may nagtatakipan po dito.

REP. SUAREZ. Mr. Chair. Dagdag ko lang.

So, kanina, Mr. Baloro, hindi mo alam kung saan eksakto sa Caraga ginaganap iyong anniversary ninyo?

MR. BALORO. Mr. Chair, with regard to the places, because we have several locations po for Caraga. So, we have also our satellite lead who's now in charge with the identification of the location for the OVP Anniversary in Caraga, Your Honor.

REP. SUAREZ. So, me...Okay. Several, marami. Ano-ano iyong mga lugar na iyon?

MR. BALORO. With regard to that, Your Honor, may I also have a time for me to call with our satellite lead?

REP. SUAREZ. Alam mo, I'm...Naglolokohan na tayo dito, eh. Sa totoo lang kung mayroon man nagtataka kung bakit nabawasan iyong budget ng OVP ito na iyong dahilan, eh.

MS. LOPEZ. Ah, Your Honor.

REP. SUAREZ. Kasi hindi ninyo maipaliwanag simpleng activity ninyo, you can't even say for a certain fact kung nasaan. Sasabihin ninyo maraming activities somewhere in Caraga tapos hindi ninyo man lang masabi kung saan. Anong klaseng celebration iyon? Sobrang laki ba ng opisina ninyo na kaya ninyong sabay-sabayin lahat ng barangay, lahat ng bayan sa Caraga Region?

Not unless, of course, you're making a mockery of this Committee, Mr. Baloro?

MS. LOPEZ. Your Honor.

REP. SUAREZ. Hold on. Hold on.

Are you making mockery of this Committee, Mr. Baloro?

MR. BALORO. No, Your Honor.

REP. SUAREZ. Okay. So, if no, then treat us with respect.

Where are you celebrating the activities of your celebration today? You are head.

MR. BALORO. Caraga, Your Honor.

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REP. SUAREZ. Where there? Do you know how big the Caraga Region is?

MR. BALORO. For my personal knowledge, Your Honor, no.

REP. GERVILLE "JINKY BITRICS" R. LUISTRO. Mr. Chair.

MS. LOPEZ. Your Honor.

THE CHAIRPERSON. Yes, Atty. Lopez.

MS. LOPEZ. Your Honor, Mr. Chair, respectfully, may I be given a minute, please, to just discuss and confer with Director Baloro, if that's alright?

THE CHAIRPERSON. Puwede ninyo po bang tawagan ngayon si Ms. Gina Acosta, speaker phone ninyo? Ngayon po.

MS. LOPEZ. Si Ms. Gina? Ms. Gina Acosta?

THE CHAIRPERSON. Ms. Gina Acosta. Paki-speaker phone nga po ninyo.

REP. LUISTRO. Mr. Chair, may I just add that...

THE CHAIRPERSON. Yes, Congresswoman Luistro.

REP. LUISTRO. ...for an event as big as the anniversary of the Office of the Vice President, I do not understand why the operations head is not knowledgeable about the place of the celebration and the matters connected thereto. And more so, Mr. Chair, it is a common practice that when one applies for a travel authority it goes with the travel authority the invitation or the program of the activity.

Kayo po iyong operations head, wala man lang ho bang program or invitation where we can make reference as to the place of the celebration and the officials who are supposed to be there other than the SDO?

MR. BALORO. Your Honor, for the 2024 Thanksgiving activities, Your Honor, I just learned that...

REP. LUISTRO. Is it thanksgiving or anniversary?

MR. BALORO. Thanksgiving anniversary. It's in line with the OVP Anniversary, Your Honor. The title of our program, Your Honor, is "Thanksgiving."

REP. LUISTRO. Thanksgiving anniversary celebration of OVP.

MR. BALORO. Thanksgiving activity, Your Honor.

REP. LUISTRO. And it ranges for one whole week?

MR. BALORO. Yes, Your Honor.

REP. LUISTRO. Can you please cite again the inclusive period for that celebration?

MR. BALORO. Yes, Your Honor. From...After our event on October...November 15, that is the 89th Anniversary of the OVP, right after that, we

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have our scheduled for the OVP thanksgiving activities for all the 10 satellites offices, Your Honor.

REP. LUISTRO. Sandali po. Ang pinag-uusapan muna po natin is celebration today.

MR. BALORO. Today, Your Honor, is OVP thanksgiving in Caraga, Your Honor.

REP. LUISTRO. And where in Caraga it is being celebrated?

MR. BALORO. It is simultaneously celebrated in—I have learned now, Your Honor—in our three Municipalities. It's one city, Your Honor. It's in Gingoog, Magallanes, and Butuan City, Your Honor.

REP. LUISTRO. And why did you not seek for an excuse when you are the operation head, and you're supposed the first person who is to attend that celebration?

MR. BALORO. Your Honor, because I went to Panay and Negros Islands already, Your Honor, last week. This is in province...in Municipalities of Malay and Municipalities of Makato in Aklan.

So, the reason why, Your Honor, for also for me have a rest...I mean, Your Honor, my time also in the central office to sign few documents with regard to the medical and burial assistance. So, the reason why, Your Honor, I need also...

REP. LUISTRO. How about the program and the invitation which are supposed to justify the travel authority of your SDO?

MR. BALORO. Your Honor, with regard to the SDO, Your Honor, is...I am the one who is signing...I am not the one who signed the document, Your Honor.

REP. LUISTRO. Yes, I understand. But as an operation head, you're supposed to receive as well, 'di ba, a copy of the program and the invitation? Because you are the focal person in terms of field operation, am I correct?

MR. BALORO. Yes. But, Your Honor, with regard to...

REP. LUISTRO. Hindi ka ba nila inimbita?

MR. BALORO. For Caraga, Your Honor?

REP. LUISTRO. As operation head, you're supposed to be invited, tama po ba ako?

MR. BALORO. That's part of my job, Your Honor.

REP. LUISTRO. I wish to see the copy of the invitation and the program. Would you like to produce them today?

MR. BALORO. Your Honor, with regard to my ano, Your Honor, with regard to my travel order, I'll provide the Committee, Your Honor.

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REP. LUISTRO. Which travel order are you referring to, Mister?

MR. BALORO. For the schedules of the thanksgiving activities, Your Honor.

REP. LUISTRO. What we are discussing today are the activities where the SDO is supposed to be present as provided in her travel authority. I do not understand why in her travel authority the documents which are supposed to accompany them, the program and the invitation, were not mentioned by Atty. Zuleika and Atty. Sanchez.

MR. BALORO. Your Honor, I don't have the knowledge, Your Honor, with regard to the travel order of our SDO, Your Honor, because I am not the signing authority, Your Honor.

REP. LUISTRO. But do you have a knowledge in as far the existence of this program and invitations are concerned?

MR. BALORO. With regard to the OVP thanksgiving for Caraga, Your Honor, yes.

REP. LUISTRO. You have?

MR. BALORO. With regard to...Your Honor, with regard to...

REP. LUISTRO. Do you have copies?

MR. BALORO. ...thanksgiving.

REP. LUISTRO. Do you have copies?

MR. BALORO. With regard to executive briefer, Your Honor, I have.

REP. LUISTRO. Can you please share it to the Committee? The invitation and the program for the thanksgiving anniversary celebration in Caraga, where your SDO is supposed to be present.

MR. BALORO. With regard to the presence of our SDO, Your Honor, I cannot give you the...

REP. LUISTRO. Because that is the justification provided in the travel authority. So, I supposed that he's there attending the activity.

MR. BALORO. Your Honor, I can only provide you, Your Honor, the executive brief of the program of the thanksgiving in Caraga, Your Honor.

REP. LUISTRO. Mr. Chair, can we please direct our Secretariat to solicit the copy of the program of activity, as well as the invitation, Mr. Chair?

THE CHAIRPERSON. The Secretariat...

REP. ADIONG. Mr. Chair.

THE CHAIRPERSON. ...is requested to please get hold of the copy to Mr. Norman Baloro. Nasaan iyong Secretariat? Iyong page.

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REP. ADIONG. Mr. Chair, quickly lang po, if I may...I'll be allowed to interject with the...with indulgence...

THE CHAIRPERSON. Yes, Congressman Zia.

REP. ADIONG. I guess earlier, Mr. Chair, Congressman Flores...

(MS. JOAN E. GRUTA TOOK OVER)

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REP. ADIONG. (Continuing)... Congressman Flores requested the... our Sargeant-at-Arms to communicate, you know, the issuance or the contempt order that we have just issued against certain individuals and I guess SDO was part of the... or among those individuals whom we cited in contempt. Did I hear it right, Mr. Toledo, Mr. Baloro, that you are currently today celebrating a thanksgiving anniversary of the OVP and probably these three areas andoon si SDO?

MR. BALORO. In Caraga, Your Honor.

REP. ADIONG. Yes, in Caraga. Kasi iyon po iyong reason niya kung bakit hindi siya ho pumunta dito and maybe if you can go back to the earlier motion of Congressman Flores, we can already communicate kung nandoon siya. Maybe as our Sargeant-at-Arms so that we can issue already and they can probably confirm whether this... si SDO ay nandoon talaga sa Caraga para ma-secure natin siya, Mr. Chair.

THE CHAIRPERSON. The Secretariat is...Comsec...

REP. ADIONG. Mr. Baloro...sorry.

THE CHAIRPERSON. May we request the Sergeant-at-Arms? Where is the Sergeant-at-Arms? Pakitawag mo.

REP. ADIONG. Sir Baloro, paki-mention lang po iyong areas you just learned just now, texted to you?

MR. BALORO. Your Honor, for the Caraga... for the Caraga satellite office, Your Honor, for the thanksgiving activities, we have simultaneously have the program for Gingoog, Magallanes, and Butuan City, Your Honor.

REP. ADIONG. There you are, Mr. Chair. Gingoog...

MR. BALORO. Magallanes...

REP. ADIONG. Magallanes.

MR. BALORO. ...Municipality of Magallanes and Butuan City, Your Honor.

REP. ADIONG. And Butuan City. Okay.

REP. FLORES. Mr. Chair, can I just add?

THE CHAIRPERSON. Please continue.

REP. FLORES. Mr. Baloro, what is the activity tomorrow? Where?

MR. BALORO. For the activities tomorrow, this is still for confirmation because... but, however, to answer your question, it's in Southern Mindanao satellite office, Your Honor.

REP. FLORES. What towns po?

MR. BALORO. This is somewhere in Marilog, Your Honor.

REP. FLORES. Marilog. Ah, that's Davao City.

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MR. BALORO. Yes, Your Honor.

REP. FLORES. No other place?

MR. BALORO. With regard to the thanksgiving for the southern...

REP. FLORES. I mean the programs that you have were supposedly Fajarda spouses, and Acosta are to be supervising tomorrow?

MR. BALORO. For the program here, Your Honor, it is in Southern Mindanao satellite office in Marilog, Your Honor.

REP. FLORES. In Marilog. Okay. So, if they will not be in Marilog tomorrow, meaning, they will be absent from their functions supposedly, they were sent there supposedly to help out in this particular activity, correct?

MR. BALORO. Your Honor, to be honest, I don't have really the knowledge with regard to the travel order of the SDO, Your Honor.

REP. FLORES. You just heard Atty. Lopez read it out to you, to all of us.

MR. BALORO. Your Honor, I only have the knowledge with regard to the activities...

REP. FLORES. Okay.

MR. BALORO. ...under the operations...

REP. FLORES. Now, as the head of operations, supposedly alam mo kung sino iyong pupunta doon from your office to help out. Correct?

MR. BALORO. Yes, Your Honor.

REP. FLORES. And then you heard Atty. Lopez say that these persons were issued travel authority by Atty. Ortonio to help in these activities. Correct?

MR. BALORO. I presume, Your Honor, their presence will be...

REP. FLORES. You presume. So, I also presume that they should be there tomorrow. Otherwise, they will be absent and they will not be doing the performance... or they will not be performing their duties of which they were tasked to do and on which they are saying that they are absent now because they are doing these functions. Correct?

MR. BALORO. Yes, Your Honor.

REP. FLORES. So, they should be there tomorrow.

MR. BALORO. I presume, Your Honor, their presence will be there tomorrow, Your Honor.

REP. FLORES. Okay, thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

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The Chair would like to recognize the next interpellator, the Honorable Jinky Luistro.

REP. LUISTRO. As a follow through, Atty. Zuleika, ilan po ba ang key officials ng OVP? I'm referring to key officials only.

MS. LOPEZ. There are five key officials, Your Honor.

REP. LUISTRO. Can you please mention these five key officials?

MS. LOPEZ. The undersecretary, the...

REP. LUISTRO. Can you please include the name...

MS. LOPEZ. Oh, yes.

REP. LUISTRO. ... assuming this position?

MS. LOPEZ. Yes. number one, the Undersecretary, that is me, Zuleika Lopez; our Assistant Secretary, Mr. Lemuel Ortonio, our Director for Admin and Finance Services, that is Director Rosalyn Sanchez, our Director for Operations, that is Mr. Norman Baloro, and our Director for Strategic Management Office, that is Atty. Sunshine Fajarda, Your Honor.

REP. LUISTRO. How important is this thanksgiving anniversary celebration in Caraga? It's not even at the NCR. It does not even represent a regional representation because he made mention only of three specific LGUs? Why of all key officials, bakit naman po sa dami ng opisyal ng OVP, eh, ito pang matagal na pong iniimbita ng Good Government Committee na si SDO Gina Acosta at si Assistant Chief of Staff Ortonio ang nakaisip na mag-represent ng OVP sa thanksgiving celebration?

MS. LOPEZ. Your Honor, I cannot answer that because for one thing, I was not the one who issued the travel authority. For another, I cannot presume to understand or know of the wisdom of the person who actually signed it. So, therefore, I cannot really directly answer that question, respectfully.

REP. LUISTRO. To continue, Attorney, it is not my intention to undermine the significance of those activities in Caraga, but we are thinking individuals here. Between defending the institution, the office of the OVP, and attending the thanksgiving celebrating in the three LGUs in LGU, hypothetical lang po, which do you think is more important?

MS. LOPEZ. Your Honor, every activity we roll out, whether it's in the NCR or in our satellite offices...

REP. LUISTRO. Mr. Chair, can we please direct our resource speaker to answer the question. This is a hypothetical question, Atty. Lopez...

THE CHAIRPERSON. Please answer responsibly.

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REP. LUISTRO. If you would be made to choose, saan ho ba kayo pupunta, sa hearing ng Good Government Committee where you will be given the chance to defend the office pertaining to the issues surrounding it, particularly the utilization of confidential fund, or the thanksgiving celebration in the three small LGUs of the Caraga Region?

MS. LOPEZ. Your Honor, Mr. Chair, the decision to attend the Committee hearing of this Honorable Committee is a personal one.

REP. LUISTRO. I understand, Mr. Chair. But this is a hypothetical question that is being raised to our resource speaker.

MS. LOPEZ. I can only answer for myself, Your Honor, and my decision was to attend today's hearing.

REP. LUISTRO. Thank you, Atty. Zuleika.

Now, to proceed, Attorney, tagasaan po ba kayo? Where did you originate?

MS. LOPEZ. I was born in Davao City, Ma'am.

REP. LUISTRO. Can you please enlighten us where in Davao at kailan po ba kayo pinanganak, at least the year?

MS. LOPEZ. 1974, Your Honor.

REP. LUISTRO. You were born 1974 in Davao City...

MS. LOPEZ. Yes, correct.

REP. LUISTRO. ...and I understand you are... you were appointed as City Administrator for a long time of Davao City. May I ask, Attorney, kailan po ba iyong first encounter ninyo with our Vice President?

MS. LOPEZ. My first encounter with the Vice President was when... was really because of work, Your Honor.

REP. LUISTRO. In other words, hindi po kayo childhood friends, hindi po kayo classmates, you are not even friends prior to your appointment as City Administrator? Tama po ba ako?

MS. LOPEZ. Your Honor, the Vice President was... I was an upper class of the Vice President in the College of Law of San Beda, Your Honor.

REP. LUISTRO. In other words, you were schoolmates during the law school years, tama po?

MS. LOPEZ. We were schoolmates, but we were not... we were not—how do you call that?—friends.

REP. LUISTRO. Acquainted?

MS. LOPEZ. Or acquainted.

REP. LUISTRO. So, when did you become acquainted with each other?

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MS. LOPEZ. When I took on the position of Secretary to the Sanggunian, Your Honor.

REP. LUISTRO. When was this, Atty. Lopez?

MS. LOPEZ. I think 2007, Your Honor.

REP. LUISTRO. So, this is prior to your appointment as City Administrator?

MS. LOPEZ. That is correct, Your Honor.

REP. LUISTRO. You were first appointed as Sangguniang Bayan Secretary in 2007...

(MS. EMERITA E. AVILA TOOK OVER)

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REP. LUISTRO. (Continuing)...in 2007 before you were appointed as City Administrator from 2010 until 2022. Is my data correct? Are my data correct?

MS. LOPEZ. There is a...there is a gap, Your Honor, because for a time, the Vice President was not the Mayor.

REP. LUISTRO. Yes.

MS. LOPEZ. So, just for I think six years, I was City Admin for six years.

REP. LUISTRO. Let us go to your position as City Administrator, Atty. Lopez. Ano po ba'ng functions ng isang City Administrator?

MS. LOPEZ. Your Honor, the City Administrator, in my experience, we actually develop plans and programs on how to effectively and efficiently implement programs and projects that are initiated by the local chief executive. That's one.

And then another would be the coordination with all the city department heads. In the case of Davao City being a highly urbanized city, I think we have around almost 40 city department heads, Your Honor. Not to mention, part of my task also is to chair and preside over various committees of the city such as the zoning committee, tourism board, Davao City Investment and Promotion Committee, *et cetera,* totaling also more than 30 committees.

Apart from that, of course, the City Administrator is also tasked with the administrative...delivery of administrative support services particularly in times of disaster, operations. Notable of which is, for example, there's massive flooding or in the case of COVID in 2019.

REP. LUISTRO. That is an ample function, Atty. Lopez. And, in fact, our time allotted for Committee hearing might not be enough for you to be able to share with us the so many functions of a Municipal or City Administrator. Am I correct?

MS. LOPEZ. Yes, Your Honor.

REP. LUISTRO. But I have some specific questions for you. As City Administrator, do you recommend to the LCE the appointment of key officials?

MS. LOPEZ. Your Honor, in my experience, I was never...I never...I never proposed a recommendation for key officials.

REP. LUISTRO. But do you believe that as a City Administrator, you have the discretion, the power, the opportunity, the position to recommend people who deserves appointment as key official? With the ample function that you have shared to this Committee, I believe, yes.

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MS. LOPEZ. Your Honor, perhaps prepare a short list for consideration, but I do not really...I cannot really make that recommendation because that...that exercise belongs to the appointing authority. It's the local chief executive...

REP. LUISTRO. Yes, but if the appointing authority will be soliciting your position relative to the people who are supposed to be appointed for key positions, would you give your opinion concerning this matter?

MS. LOPEZ. Your Honor, in my experience as the City Administrator of the Vice President when she was then Mayor, she never asked me for any particular person or name that she should consider.

REP. LUISTRO. How about in the execution of contract in behalf of the LGU, do you give your legal opinion, especially considering that you are a lawyer?

MS. LOPEZ. You Honor, in the city government of Davao, there is only one lawyer and that is the City Legal Officer. So, all contracts that are executed or performed or entered into are reviewed and given legal opinion by the City Legal Officer, Your Honor.

REP. LUISTRO. If there are occasions when the opinion of the legal officer is not in consonance with yours, don't you volunteer your opinion being the City Administrator and a lawyer, at the same time?

MS. LOPEZ. Your Honor, I can only confer really with the City Legal. But at the end of the day, it is the legal...City Legal who will make that final recommendation to the City Mayor or the local chief...

REP. LUISTRO. In scheduling the LCE in very important meetings, do you give your opinion as well as to which meetings you should be giving priorities?

MS. LOPEZ. Your Honor, from the very beginning, that was very clear to us that we do not...we do not really involve ourselves in the appointments or the scheduling of our principal.

REP. LUISTRO. How about in budget preparation, Atty. Lopez, don't you give your insights about which item, which program needs bigger budget compared to the others?

MS. LOPEZ. In the preparation of the budget for the city government, Your Honor, what is being done is that the city department heads—all 42 of them, I think, more or less—make a presentation as to their priority programs.

REP. LUISTRO. Is it not that you are the one at the core, at the center of all these department heads being the one representing the office of the LCE?

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MS. LOPEZ. No, Your Honor. I sit in only as City Administrator. There is also a...

REP. LUISTRO. As a matter of fact, as City Administrator, you do help reconcile the budget of all the departments of the LGU. Tama po ba?

MS. LOPEZ. Your Honor, it really depends on the...for one, the presentation of all the projects and programs of all the city department heads. And then, we make that presentation to the local chief executive. And then, the local chief executive will decide which programs will be prioritized. We do not have...

REP. LUISTRO. Do you mean to tell us that you do not recommend with respect to the programs which needs to be provided with budget?

MS. LOPEZ. Your Honor, my role really is that once there is an identification of a particular project...for example, may I be allowed, Your Honor, to give an example, just a short one, a brief one. For example, our collaboration with the National Museum of the Philippines for the establishment and construction of the National Museum...National Museum of the Philippines in Davao City. Alright. So, this was an item that was proposed by some of the city department heads. So, it is one of those projects that we presented to the local chief executive. And when she says that yes, we can...we will do this project and the timeline is set for this period, that is the time that I, as a City Administrator, come in and they start talking to key officials from the National Museum of the Philippines, draw the necessary legal documents that will document.

REP. LUISTRO. You wanted to tell us, Atty. Lopez, that the LCE approves first before you have the hand of being part of that program or activity. Is that what you wanted to tell us?

MS. LOPEZ. That is correct, Your Honor, because my role really as an admin...

REP. LUISTRO. In all matters concerning the Office of the City of the Mayor, you wanted to tell us nag-a-approve muna ang mayor bago ka umakto as City Administrator?

MS. LOPEZ. That is correct, Your Honor, especially in projects such as...

REP. LUISTRO. Attorney, if I may interrupt, that is quite hard to believe. Because as City Administrator, you're supposed to check all the programs, all the concerns, all the decisions, all the matters that will be presented to the LCE before her decision. Is that not the real situation of a City Administrator?

MS. LOPEZ. Your Honor, I can only speak from my experience working with a local chief executive.

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REP. LUISTRO. If you are not giving these recommendations to the LCE, then who gives the recommendation?

MS. LOPEZ. Your Honor, in that example that I gave, that was an output of the briefing with the several city department heads. That is one of the programs and projects that was listed. These are projects that we prepare and report to the local chief executive for consideration.

REP. LUISTRO. Kanina po may binanggit kayong you're heading all the committees. Tama po ba iyon?

MS. LOPEZ. I preside, Your Honor.

REP. LUISTRO. You also made mention about the different departments. What do you do with the different departments?

MS. LOPEZ. Coordination, Your Honor.

REP. LUISTRO. You coordinate with the different departments and you...you draft programs and do the implementation, as well as the coordination with the rest of the departments of the LGU. Tama po ba iyon?

MS. LOPEZ. Yes, Your Honor. For example, in the case that I mentioned earlier, Ma'am, in that partnership with the National Museum of the Philippines, it has to be approved first that we will embark on that project before we actually proceed any further.

REP. LUISTRO. Are you aware that City Administrator is oftentimes referred to as little mayor? Have you heard of that?

MS. LOPEZ. Yes, Your Honor.

REP. LUISTRO. Yes. Why do you think the position of...or the person, the City Administrator, the Municipal Administrator, the Provincial Administrator...

(MR. JEFFREY C. OVILLA TOOK OVER)

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REP. LUISTRO. (Continuing)...Provincial Administrator are being referred to a "little mayor"?

MS. LOPEZ. "Little mayor", precisely, Ma'am, because you are the go-to person of all city government...city department heads, and then, sometimes, you traffic the deliverables and the projects that are expected for a city department head. In other words, Your Honor, my role, really...I am not a City Engineer, I am not a City Veterinarian, but what I do is, if there is an issue on ASF that the local chief executive wants to address, I coordinate with the city veterinarian who is actually the expert on that program. That is my role, Your Honor. It's purely—how do you say this?—ensuring that they are able to come up with their projects that they have proposed themselves, and it is delivered at a certain timeline as you...

REP. LUISTRO. You...

MS. LOPEZ. ...have committed to the mayor.

REP. LUISTRO. You are correct, Atty. Lopez, that the department heads are the experts on their respective field, but I wish to believe that before the mayors, the LCEs, take an action on whatever they are being presented, she is being presented, it always solicits for the green signal of the City Administrator because you are expected to check the genuineness, the propriety, the veracity of all the concerns, programs, and projects which are being presented by the various department heads. Do you agree with me?

MS. LOPEZ. Your Honor, I speak from my experience. That is how it was done when I was City Administrator for the local chief executive.

REP. LUISTRO. Do you mean to tell us, Atty. Zuleika, that for the longest time, that is 2010 to 2013 and then 2016 to 2022...

MS. LOPEZ. 2016.

REP. LUISTRO. ...your opinion and recommendation was never solicited by your LCE?

MS. LOPEZ. Ah, maybe on matters, Your Honor, such as...for example...

REP. LUISTRO. That is quite hard to believe, Atty. Zuleika, because, otherwise, we will not be able to come up with this "little mayor" thing, which is being used to refer to the City Administrator, if indeed walang kapangyarihan ang mga administrators. As a matter of fact, this Representation used to be a Municipal Administrator.

MS. LOPEZ. Administrator.

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Your Honor, Mr. Chair, respectfully, I can really just speak from my experience. That is the style that I was accustomed to under the local chief executive.

REP. LUISTRO. Kanina po, may mga programs kayong nabanggit which you implement. Can you please cite some, in brief?

MS. LOPEZ. Katulad po noong na-mention ko nang collaboration...

REP. LUISTRO. Just the title, Attorney.

MS. LOPEZ. The construction, Your Honor, and partnership with the National Museum of the Philippines for the establishment of one such branch in the City of Davao.

REP. LUISTRO. What else?

MS. LOPEZ. The high-priority bus system, Your Honor, that we started during the term of Vice President Inday Sara, but it's still ongoing right now; the Samal...Davao–Samal Connector Bridge, which we also...we started with, but it is still ongoing; as well as the pending...among others, 'no, the pending waste-to-energy projects. One of those that was finished is the underground cabling.

REP. LUISTRO. Just give us a rundown what these programs are...did you implement during those time? We are talking about nine long years you sitting as the City Administrator.

MS. LOPEZ. Yes, Your Honor. These were projects that were proposed by the city department heads...

REP. LUISTRO. So, can you please...

MS. LOPEZ. ...during...

REP. LUISTRO. ...give us a rundown? Ano po ba iyong mga programs na iyon? Tatlo pa lang po iyong ibinigay ninyo. We are talking about nine years here.

MS. LOPEZ. Another one would be, Your Hon...Another would be the Davao Bypass Road, which is a partnership with the JICA Group that's also...

REP. LUISTRO. Parang iyong binabanggit ninyo, Ma'am, at mga construction project, tama po ba?

MS. LOPEZ. Mayroon din pong other activities, Your Honor. Of course, the celebration of all the festivals that happen in a year, which iyong tatlo, which is the Charter Day Celebration, the Kadayawan Festival, Pasko Fiesta, that one...

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REP. LUISTRO. Do you mean to say, Atty. Zuleika, that among these programs coming from the various departments, you are partnering with the department head in terms of implementation?

MS. LOPEZ. Your Honor, the key...the person responsible for the implementation, really, is the city department head. For exam...

REP. LUISTRO. Sunod ko pong itatanong sa inyo, if you are not recommending, you are not suggesting, and then you will be telling me it is the department head who implements, ano po'ng ginagawa ninyo as City Administrator?

MS. LOPEZ. Ma'am, I ensure that these projects happen...

REP. LUISTRO. You oversee.

MS. LOPEZ. ...and are delivered on time.

REP. LUISTRO. And in overseeing, of course, you coordinate with the department heads, tama po ba?

MS. LOPEZ. That is correct, Your Honor.

REP. LUISTRO. And you will agree with me also na lahat po ng programs na ito, we cannot implement them without the necessary budget, tama po?

MS. LOPEZ. Ah, yes, there is a budget for such.

REP. LUISTRO. And considering the length of time that you've been sitting as the City Administrator of Davao City, you are well-versed pagdating po sa budget ng LGU? At least you are familiar with the budget of the LGU.

MS. LOPEZ. Ah, familiar? Yes. Not as familiar as...but as the Finance Cluster of the local government unit...

REP. LUISTRO. Because you said you coordinate. You coordinate with the different departments, tapos sabi ninyo po kanina, the budget preparation is being submitted by...the proposed budget are submitted by the different departments. So, I suppose that in your coordination with the departments, you are aware also of the budget of the LGU. Am I correct, Attorney?

MS. LOPEZ. For big-ticket projects, Your Honor, yes, I am aware because they make the presentation, the city department heads.

REP. LUISTRO. What is that? For?

MS. LOPEZ. For projects. Like the...Similar to the ones I mentioned early on, Your Honor.

REP. LUISTRO. Yes. And I suppose that when the project has a very huge allocation, you will be aware, as well.

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I want to be enlightened about the budget of Davao City during your time as to...as City Administrator—2010 to 2013, 2016 to 2022. Ito po'y nai-flash na natin noon, and I want to share it again to the Committee. Kindly flash the confidential budget of the Davao City. This is 2016 to 2022, Atty. Zuleika.

MS. LOPEZ. Um-hum.

REP. LUISTRO. And, apparently, in our previous hearings, we were able to show that among all the LGUs in the entire country, ang Davao City po ang nagkaroon ng pinakamalaki na confidential fund.

Being the person who coordinate all the programs with all the focal persons and department heads, can you please enlighten us, 2016 to 2022, paano po ba natin na-utilize itong confidential fund na ito?

MS. LOPEZ. Your Honor, Mr. Chair, Mr. Chair...

THE CHAIRPERSON. Please continue.

MS. LOPEZ. ...if I may? Yes.

I appear here, Your Honor, pursuant to the subpoena that was issued me, in line with the Privilege Speech of the Honorable Valeriano. It is in my capacity as the Undersecretary of the Office of the Vice President. I am not here nor am I connect...nor do I...nor am I connected with the City Administrator or City Government of Davao. So, I feel that I am not really competent to discuss budget concerns primarily because, of course, with due...with all due respect to the new City Administrator and also the administration of the City Government of Davao, Your Honor.

REP. LUISTRO. Mr. Chair, I wish to remind the resource speaker that the confidential fund, which is being shown in the screen, pertains to 2016 to 2022—the time when our resource speaker was the City Administrator. Earlier, she explained a lot about coordination with the different departments concerning the program implementation, and I wish to believe that this confidential fund is part and parcel of some of the programs which they have implemented already...

(MS. ERLINDA C. REYES TOOK OVER)

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REP. LUISTRO. (Continuing)...implemented already in Davao City. So, contrary to her manifestation, Mr. Chair, it is my humble opinion that she is in the best position to enlighten us saang programa po ba ginamit itong confidential fund na ito.

MS. LOPEZ. Your Honor, Mr. Chair, I mentioned earlier my role as City Administrator. It is really to ensure the efficient and effective implementation of projects that are proposed by our city department heads and are approved by the local chief executive. I also mentioned, Your Honor, that part of my task is to coordinate with the city government departments which are the various... in various... different areas—city budget, city engineer, city taxation, local city zoning, city planning. These are the operations part of running a local government, Your Honor, Mr. Chair. In my experienced and in my term as the City Administrator, I have no direct knowledge, no personal information as regards the confidential budget of the City Government of Davao. It is...

REP. LUISTRO. Mr. Chair, if the resource speaker is making a representation that he has no knowledge, whatsoever...

MS. LOPEZ. She.

REP. LUSITRO. ...about the program utilization where this Confidential Fund where spent, then who has knowledge over the utilization to which program of these Confidential Funds?

MS. LOPEZ. Your Honor, I can only speak for myself.

REP. LUISTRO. My. Chair...

MS. LOPEZ. On... On my end, Your Honor, respectfully, much as I want to give a definitive answer, I have no personal information as to the utilization, disbursement of the Confidential Funds.

REP. LUISTRO. Mr. Chair, I just find it strange na si Attorney Zuleika po alam niya iyong tungkol sa museum, alam niya iyong JICA project, and yet he has... she has no knowledge, whatsoever, with respect to the huge amount of Confidential Fund that is from 2016 to 2022.

If we can share it again in the screen, ang laking pondo po nito. As a matter of fact, if we will be following the Joint Circular during that time, this is 30 percent of the Peace and Order Program of the LGU of Davao. Hindi ko po maintindihan, why we've

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been hearing that Davao City is the most livable place to live, the most peaceful place in the Philippines, and yet mayroon pong ganito kalaking halaga ng Confidential Fund.

So, considering, Mr. Chair, the ample function, authority, discretion of an administrator, anyone who is assuming the position of an administrator, I do not understand why Attorney Zuleika could not enlighten us, at least of what she knows, to which program this Confidential Funds were utilized. If I may read, Mr. Chair, 2016, this is 144 million; 2017, this is 293 million; 2018 is 420 million; 2019, 2020, 2021 and 2022, 460 million. I wish to believe, Mr. Chair, that after the LCE, after the mayor, the next person who is aware about the program implementation, which includes the budget utilization, is the city administrator. As admitted by the resource speaker, she is the one coordinating all the programs. She is the one coordinating with all the departments. How come she has no knowledge at all with these huge amounts of Confidential Fund which were utilized in Davao City from 2016 to 2022? That is a manifestation, Mr. Chair.

REP. KHONGHUN. Mr. Chair,Mr. Chair.

THE CHAIRPERSON. Congressman Khonghun.

REP. KHONGHUN. Just a small question, Mr. Chair, in line of the questioning of Attorney Luistro, Congressman Luistro.

Madam Zuleika Lopez, do yo... do you have an authority to sign checks noong Mayor si VP Sara, si Mayor Sara?

MS. LOPEZ. Wala po.

REP. KHONGHUN. Hindi ka pumipirma ng tseke? Hindi ka nabigyan ng authority na pumirma ng tseke?

MS. LOPEZ. I do not anymore recall but I think I signed. It's a delegated authority to the assistant city administrators but in the event that they are on leave or on official travel, ako iyong nagiging isang signatory. But it is not a usual task that I perform.

REP. KHONGHUN. So, you sign checks? You sign checks?

MS. LOPEZ. Some, Your Honor.

REP. KHONGHUN. Vouchers? Of course.

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MS. LOPEZ. Yes, Your Honor. Only in instances...

REP. KHONGHUN. Including confidential funds? Of course.

MS. LOPEZ. No, Your Honor. As I mentioned earlier, respectfully, my role as City Administrator is really... my task is confined to the operational...

REP. KHONGHUN. Madam... Madam Zuleika, ano din po ako, naging ako naging mayor po siyam na taon. Usually po, isa sa mga responsibilidad ng chief of staff, tsine-check po lahat ng voucher na pinipirmahan ng mayor. At usually po, ang administrator, administrator, pumipirma po ng mga vouchers, including confidential vouchers na.... confidential fund vouchers.

MS. LOPEZ. Your Honor, Mr. Chair, I am not the chief of staff. I was the City Administrator that the...

REP. KHONGHUN. The more reason why na ikaw ay pumipirma.

MS. LOPEZ. Yes, Your Honor. The local chief executive has another... another person, a chief of staff of the city mayor's office. I am not that person.

REP. KHONGHUN. But you...

MS. LOPEZ. So, for documents, I would assume that before it gets to the city mayor, there is a person who will review it for the city mayor's office.

REP. KHONGHUN. But you sign vouchers of the local government unit of Davao?

MS. LOPEZ. Only in instances, Your Honor, that the person assigned or tasked with that function is on official business or not present.

REP. KHONGHUN. Thank you, Mr. Chair.

REP. LUISTRO. Chair...

THE CHAIRPERSON. Yes, Congresswoman Luistro.

REP. LUISTRO. ...I find it strange that Attorney Lopez is claiming that she signs vouchers only on official business?

MS. LOPEZ. No. No. I...

REP. LUISTRO. But that's what you said.

MS. LOPEZ. No, Your Honor. Mayroon kasi pong taong na... na-delegate iyong authority to sign for checks like payroll, *et cetera*. Mayroon pong taong iyon.

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REP. LUISTRO. When you say "official business", Attorney Zuleika, does that not include the utilization of confidential fund?

MS. LOPEZ. In... Again, Your Honor, I can only speak for my experience. I cannot speak for how it is in other local government units. I cannot. It is only from where I come from. I was City Administrator for all of nine years. All of nine years, Your Honor. And my task really was to handle and ensure that all the projects, all the infra, all the... all the other collaborations and projects that we have planned for the City Government of Davao is implemented according to schedule.

THE CHAIRPERSON. So, Ma'am...

REP. LUISTRO. Attorney Lopez...

MS. LOPEZ. That has always been my role.

THE CHAIRPERSON. So, Ma'am, as Chief...as City Administrator of Davao...

MS. LOPEZ. Yes, Your Honor.

THE CHAIRPERSON. ...you are saying that you do not sign checks, is that correct? As City Administrator of Davao for the past—ilang years po ba iyon—six or nine years?

REP. LUISTRO. Nine years.

MS. LOPEZ. Nine years.

THE CHAIRPERSON. Nine years. You do not... You have nothing to do with the checks? Wala po kayong pinipirmahan?

MS. LOPEZ. Ah...

THE CHAIRPERSON. No, just answer yes or no. May pinipirmahan po ba kayong tseke o wala as City Administrator?

MS. LOPEZ. May... Mayroong mga instances na napipirma ako, Your Honor, because...

THE CHAIRPERSON. Hindi po ba part ng trabaho niyo iyan as city ad, na signatory kayo ng tseke?

MS. LOPEZ. I have... Your Honor, as City Administrator, mayroon pong dalawa pang Assistant City Admin who is tasked with that job.

THE CHAIRPERSON. Okay. Iyong tanong po kasi nila, bilang City Ad, kayo po ba ay isa sa mga signatory sa tseke referring to confidential fund?

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MS. LOPEZ. Your Honor, I have no personal information...

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MS. LOPEZ. *(Continuing)...personal information or knowledge...*

THE CHAIRPERSON. Hindi. No, no, no. Ang...

MS. LOPEZ. None.

THE CHAIRPERSON. So, ni isa po wala po kayong pinirmahan...

MS. LOPEZ. Wala po.

THE CHAIRPERSON. ...na confidential fund? Iyon lang po yata iyong tanong nila. Tama po, wala?

MS. LOPEZ. Wala po.

THE CHAIRPERSON. Okay.

REP. LUISTRO. Mr. Chair, to substantiate the representation that was given to us by Atty. Zuleika, may I ask if she will be generous enough to share the vouchers which she signed during that time? During her time as City Administrator.

MS. LOPEZ. Your Honor, I cannot anymore recall. I cannot anymore recall. And I feel that I'm not...I do not have that information right now. So, I cannot really share this information, if ever.

REP. LUISTRO. To continue, Mr. Chair.

THE CHAIRPERSON. *Please continue, Congresswoman Luistro.*

REP. LUISTRO. I understand, Atty. Zuleika, that in 2022 you were one of the four officials from Davao City who were brought to the OVP by the Vice President, tama po ba?

MS. LOPEZ. That...not brought, but we applied. Sumama po kami.

REP. LUISTRO. All right. You applied and you were admitted to the Office of the Vice President, am I correct?

MS. LOPEZ. Yes.

REP. LUISTRO. That is actually the pronouncement that was made by the Vice President, "Four high-ranking Davao City Hall officials have joined the OVP". That was her press statement. Can you please enlighten us? Sino po ba itong apat na ito?

MS. LOPEZ. The other one...the second one is Mr. Lemuel Ortonio.

REP. LUISTRO. The one who did not attend the hearing.

MS. LOPEZ. And the third, I do not anymore recall, Your Honor.

REP. LUISTRO. Attorney, aapat kayo hindi mo pa maalala.

MS. LOPEZ. Okay. Ms. Generose Tecson. Sorry, I forgot you. I'm sorry. It's Ms. Gene.

REP. LUISTRO. May we know the position of Ms. Gene?

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MS. TECSON. I was the City Tourism Officer of Davao City.

REP. LUISTRO. And in OVP you are? What...

MS. TECSON. I'm the Satellite Lead of the Southern Mindanao Satellite Office.

REP. LUISTRO. Satellite Lead.

MS. TECSON. Yes, Ma'am.

REP. LUISTRO. Who is the fourth official, Attorney?

MS. LOPEZ. Your Honor, the one Ms. Carla Echavia, in charge of the appointments team of the Vice President.

REP. LUISTRO. I recall, Atty. Zuleika, that during the last hearing, you failed to attend, tama po? And you gave your explanation already kanina. It was a medical emergency in United States, tama po ba?

MS. LOPEZ. Yes, Your Honor.

REP. LUISTRO. I watched the presscon of the Vice President and she was very explicit about saying that he gave...she gave her authority—her travel authority—to you.

MS. LOPEZ. She gave me authority to travel.

REP. LUISTRO. Yes.

MS. LOPEZ. Yes.

REP. LUISTRO. Yes. But she did not make mention about the rest of the OVP officials who were not able to attend during the last hearing. Is it correct to assume that kayo po ay very close sa ating Bise Presidente, reason why she really takes the initiative of justifying your absence, your travel, during the last hearing?

MS. LOPEZ. Your Honor, my proximity to the Vice President or to the principal is really because I am the Chief of Staff. And then I report to her on updates on the operations that happen on ground. So...

REP. LUISTRO. Why do you think she did not justify the absence of Gina Acosta, of Ortonio, Sunshine Fajarda, Edwin Fajarda? Bakit po kaya among all these officials, tanging kayo lang ang dyinastifay *(justify)* niya because of the travel authority that he...she issued in your favor?

MS. LOPEZ. Your Honor, Mr. Chair, I cannot presume to answer for the Vice President. She may have her reasons. But I filed the necessary request because it was a medical emergency, that's why I had to leave immediately that very same day. But...

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REP. LUISTRO. Of course, you...Attorney, you understand that this is the 6th hearing already.

MS. LOPEZ. Yes, Your Honor.

REP. LUISTRO. May I know if you watched the previous hearings?

MS. LOPEZ. Hindi po lahat.

REP. LUISTRO. Or at least you heard about what happened during the previous hearings.

MS. LOPEZ. Are we talking about the hearing, Ma'am, last...hindi ko na po nasundan.

REP. LUISTRO. The last five hearings.

MS. LOPEZ. The...

REP. LUISTRO. If you didn't watch the last five hearings, at least you've heard about the salient developments that went through during those last hearings.

MS. LOPEZ. Yes, I have heard some, yes.

REP. LUISTRO. Of course, because this involves the OVP...

MS. LOPEZ. Correct.

REP. LUISTRO. ...and the DEPED.

MS. LOPEZ. Correct.

REP. LUISTRO. Tama po ba?

MS. LOPEZ. Yes. I have heard some.

REP. LUISTRO. Do you know Usec. Mercado?

MS. LOPEZ. Of the...she used to be with the Department of Education, Your Honor.

REP. LUISTRO. That's what we understand as well. And you are with the Office of the Vice President.

MS. LOPEZ. That is correct, Your Honor.

REP. LUISTRO. Were there occasions when you also join the operation or program implementation of the DEPED?

MS. LOPEZ. No, Your Honor.

REP. LUISTRO. Were there occasions that you meet with the officials of the DEPED?

MS. LOPEZ. All operational concerns that are brought to the Office of the Vice President. Because, at the same time, she was also then the Secretary of Education. Our matters, we refer to Usec Poa when he was...*(Interrupted)*

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REP. LUISTRO. I understand. But the question is about you, Atty. Zuleika. Mayroon ho bang mga pagkakataon na pumunta kayo doon sa DEPED para makiisa sa mga program implementation?

MS. LOPEZ. The only instances, Your Honor, that we were...the Office of the Vice President were in DEPED, were for instances when the Vice President receives courtesy calls in the Bulwagan ng Edukasyon.

REP. LUISTRO. Were there occasions when you joined the meeting of the key officials of DEPED?

MS. LOPEZ. No, Your Honor.

REP. LUISTRO. Were there occasions that you represented the Vice President in the official functions in the Department of Education?

MS. LOPEZ. No, Your Honor.

REP. LUISTRO. None at all?

MS. LOPEZ. None.

REP. LUISTRO. In one of those hearings, Atty. Zuleika, Usec. Mercado testified that he was...she was asked to allow this negotiated procurement of the Department Computerization Program budget. And she refused. And after some time, you asked her to resign. The reason why you asked her to resign is because she refused to conform to the negotiated procurement of the Department's Computerization Program. Can you please enlighten us on this?

MS. LOPEZ. Your Honor, Mr. Chair, I was instructed by the Vice President to call Usec. Mercado and tell her that the principal has lost her trust and confidence in her.

REP. LUISTRO. Sabi ninyo po kanina hindi po kayo nakikialam sa DEPED, 'di po ba?

MS. LOPEZ. Your Honor, that was just an isolated incident. In this case, ginagawa ko po lang iyong trabaho ko because at...the Vice President was also the Secretary of Education. And in that instance, she said that I was to be the one to advise Ma'am Gloria that she's already...the principal has already lost her trust and confidence in Ms. Mercado for certain reasons and that it cannot be Mr. Poa who will handle it because to prevent friction among senior officials in the Department of Education. That the thought being if it were Mr. Poa who will be the one to say that to the...to Ma'am Gloria, it might create unnecessary friction in the working relationship of the senior officials of the Department of Education, Your Honor.

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REP. LUISTRO. But at least...But at least, Atty. Zuleika, you confirmed that you were the one who asked Usec. Mercado to resign...

MS. LOPEZ. Yes, I was...

REP. LUISTRO. ...from DEPED?

MS. LOPEZ. ...instructed by the Vice President to do so.

REP. LUISTRO. In your capacity as a lawyer...

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REP. LUISTRO. *(Continuing)...as a lawyer, Atty. Zuleika, do you believe that* you have a legal basis to do that?

MS. LOPEZ. Your Honor...

REP. LUISTRO. Yes or no, Attorney?

MS. LOPEZ. Yes, I had legal basis to do that.

REP. LUISTRO. Why?

MS. LOPEZ. Because, Your Honor...

REP. LUISTRO. Your office is with the OVP and the person you are asking to resign is with the DEPED.

MS. LOPEZ. Your Honor, I am...

REP. LUISTRO. Because if you would be claiming that you have the legal basis to do that, then the people in the DEPED has the legal basis also to meddle in the operation and separation of employees of the OVP.

MS. LOPEZ. Your Honor, Mr. Chair, for the record, this is an isolated incident. It was an instruction given to me by my principal. And at the same time, my principal was also the Secretary of Education. So, it was a task that I simply did, *which was to advise Ms. Mercado, that given that the principal...to advise her that* the principal has lost her trust and confidence in her and then to please submit a letter of recommenda...letter of resignation. That was a task I had to do. I did, Your Honor. Ginawa ko lang po iyong trabaho ko.

REP. LUISTRO. Will you welcome, Atty. Zuleika, the DEPED official coming into the Office of the Vice President meddling on the operation of the OVP? Would you welcome that? Yes or no? I believe, no.

MS. LOPEZ. Again, Your Honor, Mr. Chair, it was really an isolated incident where *I was instructed by the Vice President, who was also the Secretary of* Education during that time.

REP. LUISTRO. Attorney, please enlighten us, walk us through, ikuwento ninyo po sa amin, paano po nangyari itong pagkikita ninyo at pag-uusap ninyo ni Usec. Mercado?

MS. LOPEZ. I was just...I was instructed first by the Vice President to call on Mr. Mercado...

REP. LUISTRO. Kailan po iyan?

MS. LOPEZ. *Ay, hindi ko na po maalala.*

REP. LUISTRO. At least the year and the month.

MS. LOPEZ. I...I think, last year, Your Honor.

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REP. LUISTRO. Last year, this is 2023. *Anong buwan ho ba ito?*

MS. LOPEZ. I am sorry, Your Honor, I cannot anymore recall. But it was not this year.

REP. LUISTRO. First quarter, second quarter?

MS. LOPEZ. I cannot anymore recall, Your Honor.

REP. LUISTRO. You should have remembered this because you are asking a high ranking DEPED official to resign. This is something which is very remarkable.

MS. LOPEZ. Your Honor, Mr. Chair, it was...

THE CHAIRPERSON. Please continue.

MS. LOPEZ. Thank you.

It was really a task that was given to me which I performed.

REP. LUISTRO. Yes. But please walk us through. Paano, kailan nangyari po itong pag-uusap ninyong ito ni Usec. Mercado?

MS. LOPEZ. Hindi ko na po maalala iyong time, Ma'am, o iyong buwan o iyong period.

REP. LUISTRO. Saan po kayo nag-usap?

MS. LOPEZ. *Pinatawag po namin siya sa Office of the Vice President,* Central Office.

REP. LUISTRO. And then? Did you personally call her?

MS. LOPEZ. No, Your Honor.

REP. LUISTRO. So, who called Usec. Mercado?

MS. LOPEZ. Mr. Lemuel Ortonio, I understand.

REP. LUISTRO. Mr. Lemuel Ortonio. And then what happened?

MS. LOPEZ. Then she came to the office, Your Honor, and then we sat with her, and then told her about...

REP. LUISTRO. When you said "we," who are among those...

MS. LOPEZ. Mr. Lemuel Ortonio.

REP. LUISTRO. ...who talked with her? The three of you.

MS. LOPEZ. Yes.

REP. LUISTRO. Just the three of you.

MS. LOPEZ. That is correct.

REP. LUISTRO. And how did the conversation start?

MS. LOPEZ. *Sinabi po namin sa kanya na* the reason that she is called there and then we gave her...we told her that we were instructed. We were operating on the instruction of the Vice President and who was also the Secretary of Education

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that time. *We told her that the principal has lost her trust and confidence sa kanya* and for...ah...

REP. LUISTRO. Would you know, Atty. Zuleika, kung gaano na katagal nagtratrabaho si Usec. Mercado sa DEPED when this incident happened?

MS. LOPEZ. I would assume, Your Honor, that she has been working with the government for quite some time.

REP. LUISTRO. Like 40 years, 30 years.

MS. LOPEZ. Maybe...maybe, yes.

REP. LUISTRO. *And you will agree with me that this is a very serious thing,* asking somebody to resign, somebody who has rendered service in the government for more than 30 years already. Tama po ba?

MS. LOPEZ. Your Honor, Mr. Chair, this is not to also belittle the credentials of Usec. Mercado, it is not. But the reason that we...I was instructed to tell her that the principal has lost her trust and confidence in her already, Your Honor. So, iyon lang po iyong sinabi ko. At iyon lang po...

REP. LUISTRO. Attorney, you are a lawyer. It is fundamental upon us to *follow due process. Did you accord Usec. Mercado the fundamental right to due process?*

MS. LOPEZ. I told her the reasons why, Your Honor.

REP. LUISTRO. Yes. Did you give her ample opportunity to explain her side?

MS. LOPEZ. Yes, Usec. Mercado explained. But I told her that I was not the person that she was to talk to because I am not part of DEPED. I told her to take these concerns to the Chief of Staff or the Office of the Secretary in the Department of Education.

REP. LUISTRO. *Medyo unfair po iyan, Atty. Zuleika. When you will be* advising Usec. Mercado that she has to tender her courtesy resignation, you will be claiming that that is an instruction coming from your principal. And now that Atty. Zuleika is trying to explain herself...

MS. LOPEZ. Atty. Mercado, Atty. Mercado.

REP. LUISTRO. Usec. Mercado is trying to explain herself, you will be telling her that you do not belong to DEPED.

MS. LOPEZ. I listened to her, Your Honor, I did. I listened to her.

But, at the end of the day, I cannot make that decision because I am not with the Department of Education.

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REP. LUISTRO. Of course, you understand the theory of constructive dismissal. Do you? You do, because we are lawyers.

Please enlighten the Committee what is constructive dismissal.

MS. LOPEZ. Your Honor, Mr. Chair, what I did was really in pursuance of the instruction of the Vice President.

REP. LUISTRO. Mr. Chair, can we please direct our resource speaker to be responsive to the question.

THE CHAIRPERSON. Atty. Zuleika...

MS. LOPEZ. Yes.

THE CHAIRPERSON. ...I understand that you have back problem. Would you like me to declare one-minute suspension?

MS. LOPEZ. Thank you.

THE CHAIRPERSON. One-minute suspension is declared by the Chair.

Suspension: 3:35 p.m.

Resumption: 3:37 p.m.

THE CHAIRPERSON. Session resumes.

MS. LOPEZ. Thank you, Mr. Chair.

REP. SUAREZ. Mr. Chair, just a quick...

THE CHAIRPERSON. Deputy Speaker...

REP. SUAREZ. ...I just couldn't help but...

THE CHAIRPERSON. ...Jay-Jay Suarez.

REP. SUAREZ. ...I noticed... Atty. Zuleika, can I just ask the identity of that person you were conferring with while you were at recess.

MS. LOPEZ. Mr...Atty. Lito Go, Your Honor.

REP. SUAREZ. Yeah. What his...he serves what purpose?

MS. LOPEZ. Ah, Your Honor, I would...in the subpoena, I was allowed and afforded the counsel.

REP. SUAREZ. Ah, okay. No, I'm not denying you of that right. My question is, have they entered their ano...their appearance into the Committee?

THE CHAIRPERSON. ComSec, would you please enlighten us.

THE ACTING COMMITTEE SECRETARY. Not yet, Your Honor, although they were also present here in the previous hearing of November 11, Your Honor.

REP. SUAREZ. What do the rules of the Committee dictate, ComSec?

THE ACTING COMMITTEE SECRETARY. At least entry of appearance, Your Honor, for counsels. Even in our previous meetings, it was done, Your Honor.

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REP. SUAREZ. Okay, so, to the lawyers, will they...will you enter your appearance?

MR. LITO A. GO, JR. (Legal Counsel for Atty. Zuleika T. Lopez, Mr. Kelvin Teñido, and Ms. Edelyn Rabago). Verbal na lang.

MS. LOPEZ. Opo, verbal na lang po.

MR. GO. Mr. Chair, I am Atty. Lito A. Go, Jr., respectfully appearing before Atty. Zuleika Lopez, Mr. Kelvin Teñido, and Ms. Edelyn Rabago.

REP. SUAREZ. Thank you very much, thank you...Thank you very much, Atty. Go.

And, yes.

MS. LOPEZ. And Anel.

MR. ANEL MARTIN S. ANTERO (Legal Counsel for Atty. Rosalynne Sanchez, Ms. Juliet Villadelrey, Mr. Norman Baloron, Mr. Chris Sorongon, and Ms. Regina Rosa Tecson). Good afternoon, Your Honors, Mr. Chair.

I am Atty. Anel Martin Antero. I represent Atty. Lynne Sanchez, and Ms. Julieta Villadelrey, as well as Dr. Sorongon, Ms. Regina Tecson, and Director Norman Barlongon...Baloron, Your Honors.

REP. SUAREZ. And they have availed of your services in their private capacities, is that correct?

MR. ANTERO. Yes.

REP. SUAREZ. Is that correct?

MR. ANTERO. Yes, Your Honor.

REP. SUAREZ. And also for Atty. Go.

MR. ANTERO. Yes, Your Honor. That is confirmed.

REP. SUAREZ. Thank you very much.

That's it.

THE CHAIRPERSON. Okay. May we...

REP. SUAREZ. Just for procedural matters.

Thank you very much.

THE CHAIRPERSON. ...May we remind both counsels that the participation of the legal counsels is limited only to advising your client of their legal rights. Iyon lang po ang pupuwede ninyong gawin. Okay?

REP. SUAREZ. And also for other resource persons, kung mayroon po kayong abogado, mas maganda na ipakilala ninyo na kaagad iyong abogado ninyo

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bago tayo mag-umpisa para lang hindi tayo magkaroon ng aberya o problema habang tumatakbo tayo kasi iniiwasan...

(MR. REYNALDO T. SANTOS, JR. TOOK OVER)

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REP. SUAREZ. (Continuing)...iniiwasan po natin iyong sa kalagitnaan at saka niyo lang ipapakilala iyong mga abogado ninyo. Procedural matter lang po namin sa Committee iyon.

Maraming-maraming salamat.

Thank you very much, Attorney.

MR. ANTERO. Thank you po.

THE CHAIRPERSON. You may proceed, Honorable Jinky Luistro.

REP. LUISTRO. Mr. Chair, we are asking for the enlightenment of Attorney Zuleika with respect to constructive dismissal.

THE CHAIRPERSON. Yes, Attorney Lopez, please.

MS. LOPEZ. Yes. Your Honor, Mr. Chair, from what I recall, constructive dismissal happens when an employee is forced to resign under certain circumstances. In the case of Usec Mercado, she has the rank of undersecretary and she serves at the pleasure of the appointing authority. So, given that the principal has lost her trust and confidence, then we can also ask to... for her to resign.

REP. LUISTRO. To add, Mr. Chair, by constructive dismissal, you are placed in a situation or you have no other option to resign. I understand that Usec Mercado is occupying a position of confidence. However, Attorney Zuleika, you will agree with me that the requirements of due process—notice, and hearing—are fundamental. Did you follow the requirements of due process before you asked Usec Mercado to resign? I believe that the question is answerable by yes or no.

MS. LOPEZ. I informed her, Your Honor, of the reasons why. She also explained...

REP. LUISTRO. Did you follow the requirements of due process before you asked her to resign?

THE CHAIRPERSON. Please be responsive.

MS. LOPEZ. Yes, I followed the... the due process procedure, Your Honor.

REP. LUISTRO. If you did, mayroon ho ba kayong puwedeng i-present na notice of hearing where she can explain herself?

MS. LOPEZ. What... Your Honor, if I may explain, in that in... that isolated incident, I asked her... I told... I told her the reasons why the principal has already lost

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her trust and confidence, and she did, which, I think, is minimum... qualifies really as a due process for what reasons were she being let go off. And then she also explained her side. She was given a chance to explain her side.

REP. LUISTRO. Mr. Chair, if... if Attorney Zuleika is maintaining the position that she followed the requirements of due process, question number one, did you give her a copy of the complaint? Yes or no? No.

MS. LOPEZ. No.

REP. LUISTRO. Did you set a hearing for her? Yes or no?

MS. LOPEZ. No, Your Honor.

REP. LUISTRO. Three, did you come up with a resolution on the issue that is being charged against her? Yes or no?

MS. LOPEZ. No, Your Honor.

REP. LUISTRO. I believe, no. And, therefore, you did not follow the requirements of due process.

Mr. Chair, I wish to proceed.

THE CHAIRPERSON. Please proceed.

REP. LUISTRO. Attorney Zuleika, who decides on the amount to be disbursed? To guide you, we are leading to the confidential fund of the OVP. Sino po ba ang nagde-decide when it comes to disbursement?

And may I request the Secretariat to please flash the disbursement voucher.

I wish to believe that at least you are aware of this, being the Chief of Staff of the Office of the Vice President. *(The pertinent disbursement voucher was flashed on the screen)* Can you please enlighten us, Attorney Zuleika, who decides? Sino po ba ang may call pagdating sa amount to be disbursed with respect especially to the Confidential Fund of the OVP?

MS. LOPEZ. Your Honor, I have no personal knowledge of this DV because it never passed through me.

REP. LUISTRO. Saan po ba kayo nag-oopisina, Attorney Zuleika? Do you share the same office with the Vice President?

MS. LOPEZ. Yes.

REP. LUISTRO. Yes?

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MS. LOPEZ. That is correct.

REP. LUISTRO. So, can you please walk us through. Ano ho ba ang itsura ng opisina niyo? Nasaan po ba ang lamesa niyo in comparison to the table of the Vice President?

MS. LOPEZ. Your Honor, the Vice President does not... is not in the office seven days a week or five days in a work week, Your Honor.

REP. LUISTRO. In other words, sino po ang nagdadala ng mga disbursement voucher sa ating Vice President?

MS. LOPEZ. I think, Ma'am, the question is best directed to the Director for Finance and Admin.

REP. LUISTRO. Hindi po ba kayo ang nagdadala ng disbursement voucher?

MS. LOPEZ. Hindi po, Your Honor.

REP. LUISTRO. But, at least, can you confirm to us that, with the signature of the Vice President affixed in the disbursement voucher, he is the one... she is the one who has the call in terms of disbursement. Yes.

MS. LOPEZ. Your Honor, I have no personal knowledge, so I cannot... I am not the best person to answer the question.

REP. LUISTRO. You've been with the President since...

MS. LOPEZ. Vice, the Vice President.

REP. LUISTRO. ...with the Vice President since her time as Mayor of Davao. That is 2010, tama po?

MS. LOPEZ. Yes.

REP. LUISTRO. And you are very much familiar with her signature, tama po? You're very much familiar with her signature. I am asking you, Ma'am, if, having worked for the Vice President since 2010, you are very much familiar with her signature?

MS. LOPEZ. Yes, Your Honor. But...

REP. LUISTRO. And would you confirm that the signature affixed in the disbursement voucher is the signature of the Vice President?

MS. LOPEZ. Your Honor, this... may I know if this disbursement voucher came from the OVP?

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REP. LUISTRO. Maybe we can ask the COA to confirm if this is part of the documents of the OVP.

Attorney Camora.

THE CHAIRPERSON. Attorney Camora, you are recognized.

MS. CAMORA. Yes, Mr. Chair.

REP. LUISTRO. With that confirmation, would you confirm that the signature belongs to the Vice President?

MS. LOPEZ. Your Honor, Mr. Chair, if these were the documents submitted to the Commission on Audit... If these... May I know... If these were the documents, then that would be the signature of the Vice President.

REP. LUISTRO. And it is because of this disbursement voucher that the succeeding slide, the check was issued in favor of Gina F. Acosta. Would you confirm that, Attorney Zuleika?

Paki-zoom po noong check. Secretariat, kindly zoom the check. The next slide please. This one is the voucher. *(The check was flashed on the screen)*

Do you confirm, Attorney Zuleika, that because of the disbursement voucher signed by the Vice President, this check was issued in the name of Gina F. Acosta?

MS. LOPEZ. Your Honor, Mr. Chair, I have no personal knowledge as regards this one because it never really passed through me. It is signed, I understand, by Director Sanchez and Mr. Ortonio.

REP. LUISTRO. Hypothetical tayo, Attorney Zuleika, kapag nag-i-issue ng voucher, anong kasunod?

MS. LOPEZ. Check, Your Honor.

REP. LUISTRO. Check, without specific reference to this check.

And then let's go to the utilization of Confidential Funds.

Secretariat, kindly flash the accomplishment report. *(The pertinent accomplishment report was flashed on the screen)*

Dito po sa accomplishment report naka-itemize ang expenditures from the 125 million spent on the last quarter of 2022. Ito po iyong ginastos in 11 days. Can you please enlighten us, sino ho ba ang nagde-determine nitong mga information na bibilhin?

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MS. LOPEZ. Your Honor, I have no personal knowledge as to the disbursement or utilization...

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MS. LOPEZ. *(Continuing)*...utilization of the confidential funds. My job and my role really in the Office of the Vice President is confined to certain areas, primarily, operations.

REP. LUISTRO. How about with respect to the payment of reward? Who determines who will be given reward?

MS. LOPEZ. I have no information as regards that, Your Honor. Because these are documents that really did not pass through me.

REP. LUISTRO. How about with respect to the rental of other incidental expenses relative to the maintenance of safe houses, who determines this?

MS. LOPEZ. Hindi ko po alam, Your Honor.

REP. LUISTRO. Hindi ninyo rin po alam. The purchase of supplies, sino po ba'ng naglilista ng mga bibilhing supplies?

MS. LOPEZ. Your Honor, I have no personal knowledge.

REP. LUISTRO. Next, the provision of medical and food aid, who determines who will be the beneficiaries of these medical and food aid?

MS. LOPEZ. Your Honor, as mentioned earlier, Mr. Chair, these are documents that did not pass through the Office of the Chief of Staff. So, I really have no personal...

REP. LUISTRO. The question, Atty. Zuleika, is no longer on the documents but the purchases, the expenditures that are mentioned in the document.

MS. LOPEZ. I have no information on that, Your Honor.

REP. LUISTRO. The last item, Atty. Zuleika, payment of incentives or traveling relative to the confidential operation. Who determines this?

MS. LOPEZ. I have no information, Your Honor.

REP. LUISTRO. In the previous hearings, Atty. Zuleika, General Mempin testified...

MS. LOPEZ. Okay.

REP. LUISTRO. ...and he said he has no knowledge about this. You are the Chief of Staff and now you are saying also you have no knowledge about this. The question is, who has knowledge about the utilization of this confidential fund?

MS. LOPEZ. Your Honor, Mr. Chair, I can only really answer for myself. These are documents that did not pass through me so I have no personal information as to...I am not privy to this kind of information, Your Honor.

REP. LUISTRO. Mr. Chair.

MS. LOPEZ. So, I cannot answer, Your Honor.

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REP. LUISTRO. Mr. Chair, I do not want to sound repetitive, but it is really unbelievable for a Chief of Staff to have known nothing about the utilization of the huge amount of 125 million, not even one of the several items that was mentioned in the Accomplishment Report. And the question that is left unanswered, kung hindi ito alam—this is OVP to Usec. Mempin—kung hindi ito alam ni Atty. Zuleika, sino po'ng nakakaalam nito, Attorney?

MS. LOPEZ. Your Honor, I do not presume to know the answer because, again, these are documents that really did not pass through my office. There are certain areas in the Office of the Vice President that I am not really privy to. There is information that I am not privy to. So, I cannot answer...give you a definitive answer. Respectfully, Your Honor, much as I want to give a definitive answer, these are matters that are...or information that are not available to me, Mr. Chair.

REP. LUISTRO. Attorney, I want to go back to the issue on Usec. Mercado. Ang sabi ninyo po kanina, isolated occasion ito?

MS. LOPEZ. One...yes, isolated incident.

REP. LUISTRO. During the time that she gave her testimony, she made mention that there are five other DEPED officials whom you advised to resign.

MS. LOPEZ. That is correct, Your Honor. I was also instructed by the Vice President.

REP. LUISTRO. In other words, this is not an isolated occasion.

MS. LOPEZ. It is a...it's a task, Your Honor, that I do not do as a Chief of Staff on a regular basis. That is so exactly...that is what I meant. These were instructions that were given to me by the principal primarily because she said that it cannot be Michael Poa who will handle it because it already create friction among senior officials in the Department of Education. It was a task that she gave me which I fulfilled and did, Your Honor.

REP. LUISTRO. I just want to remind you, Atty. Zuleika, of your statement, initial statement, that there was never an occasion that you meddled with the operation, program or project of the Department of Education. And then we made mention about Usec. Mercardo, you said that this is an isolated occasion. Now, you admit that there are five other DEPED officials whom you advised to resign. Do you honestly believe na kung anim na sila, isolated pa iyan?

MS. LOPEZ. When I say isolated, Ma'am, I used the term in a manner that it is not something I do regularly. It is only upon instruction of the Vice President, Your Honor, Mr. Chair, because she was also at that time the Department Secretary.

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REP. LUISTRO. Can you please enlighten us who are these five other DEPED officials whom you advised to resign?

MS. LOPEZ. I think...I think, Your Honor, apat lang po sila. Si...

REP. LUISTRO. And the fifth is Usec. Mercado.

MS. LOPEZ. No, no. I think the fourth is Ms. Mercado...Ma'am Mercado, Mr. Ablan, Mister...I forgot his name, I think Mr. Arnuco...

REP. LUISTRO. Come again?

MS. LOPEZ. Mr. Arnuco.

REP. LUISTRO. Arnuco.

MS. LOPEZ. Mr. Arnuco and the head for Legal—I forgot his name—I think Atty. Brida...

REP. LUISTRO. He is a lawyer.

MS. LOPEZ. Atty. Bradit *(Brady)*.

REP. LUISTRO. I wonder what made you asked him to resign. Is he the Legal head?

MS. LOPEZ. During that time, yes, I think because he had the rank of Usec, I understand.

REP. LUISTRO. And the fourth is Usec. Mercado.

MS. LOPEZ. Yes.

REP. LUISTRO. Can you please state in brief what is the reason for asking Ablan to resign?

MS. LOPEZ. That one, I think...I...it is still the same, Your Honor, loss of trust and confidence.

REP. LUISTRO. Arnuco, the same?

MS. LOPEZ. Yes.

REP. LUISTRO. Atty. Bradit *(Brady)*, the same?

MS. LOPEZ. Yes, Your Honor.

REP. LUISTRO. And Usec. Mercado, the same.

MS. LOPEZ. Yes.

REP. LUISTRO. Loss of trust and confidence. This, notwithstanding, I am inclined to believe, Atty. Zuleika, that what happened to Usec. Mercado, happened also to these three DEPED officials. No copy of complaint, no schedule of hearing, no resolution or decision explaining why you're asking them to resign, and, therefore, what you did to them is constructive dismissal.

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MS. LOPEZ. Again, Your Honor, may I just clarify for the record. It was an instruction by the Vice President. She instructed me to call them and let them know that she has lost her trust and confidence in them.

REP. LUISTRO. Mr. Chair, my last question is about the notarized certification by Atty. Abella.

Secretariat, kindly flash the certification of DEPED Confidential Fund 2023, 1st to 3rd Quarter and then OVP 2022 Confidential Fund, as well as OVP 2023, 1st to 3rd Quarter.

Mr. Chair, I wish to manifest that this certification were used in support of the accomplishment report. And this certification were notarized by a certain Atty. Abella, whom I understand was invited also but did not appear in today's hearing.

Tama po ba tayo, Secretariat? She is one of those who did not appear in today's hearing? Nevertheless, Atty. Zuleika, are you aware of these documents?

MS. LOPEZ. I am not aware of this document. It's only now I see it, Your Honor.

REP. LUISTRO. Nagtataka lang po ako, Atty. Zukeila, you are the COS. Who, therefore, is assisting the Vice President as to the documents that she should sign and she should not sign. Ang dami po ng pinipirmahan niya. And I thought that it was you, being the Chief of Staff, I do not understand kung bakit you did not assist her at all in all these important documents concerning the utilization of confidential fund. If you're saying again that this does not...this did not pass through you, eh, sino ho ba nag-a-assist sa ating Bise Presidente sa mga ganitong dokumento...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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REP. LUISTRO. (Continuing)... dokumento?

MS. LOPEZ. Your Honor, this is the first time I see it. I would not know who is the one who...who was assigned to give it to the Vice President.

REP. LUISTRO. Atty. Zuleika, I'm about to end my interpellation. These are seven—seven documents. And I wish to manifest, ang opisina po ni Atty. Abella ay nasa Sta. Ana, Manila. Ang opisina po ng OVP ay nasa Mandaluyong. Ang opisina po ng DEPED ay nasa Pasig. The Vice President is one of the signatories in all these seven documents. Can you confirm to us if the Vice President personally appeared before the notary public when these documents were notarized?

MS. LOPEZ. Your Honor, I have no information on that. I...respectfully, Mr. Chair, I really have no information...

REP. LUISTRO. I just wish to manifest, Mr. Chair, that under the rules when a notary public is notarizing documents, the signatories are supposed to personally appear during the time that the documents are being notarized. And I find it strange that the notary public is located in Manila, the OVP Office is in Mandaluyong, the DEPED Office is in Pasig, and it is quite hard to believe that the President...the Vice President instead really took time to be able to appear to the notary public, Mr. Chair.

THE CHAIRPERSON. Actually, it was disclosed during the last hearing. Atty. Sanchez admitted that she just submitted the letter which was...she's submitted the letter to the Legal Department. Tama po ba?

MS. SANCHEZ. Mr. Chair, that was for my statement before this Committee, Mr. Chair.

THE CHAIRPERSON. Yes. And you submitted the letter to the Legal Department without notarization first, tama po ba? Wala pa?

MS. SANCHEZ. That is correct, Mr. Chair.

THE CHAIRPERSON. And you're not aware that it was the Legal Department who have it notarized. Tama po ba?

MS. SANCHEZ. Mr. Chair, I was aware that it may be notarized.

THE CHAIRPERSON. Yes, but you were not present when it was notarized, tama?

MS. SANCHEZ. Yes, Mr. Chair.

THE CHAIRPERSON. So...

REP. SUAREZ. Mr. Chair.

THE CHAIRPERSON. Yes, Deputy Speaker Jay Suarez.

REP. SUAREZ. Thank you very much.

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Mr. Chair, I would just like to direct my questions first to Atty. Sanchez very quickly.

Atty. Sanchez, what was the one of the first few things...the first thing that you did when you first entered the Congress, the Committee hearing?

MS. SANCHEZ. I took an oath, Mr. Chair.

REP. SUAREZ. You took your oath, 'no. Sinabi ninyo doon sa oath ninyo na magsasabi kayo ng katotohanan, na hindi kayo magsisinungaling, tama?

MS. SANCHEZ. Yes, Mr. Chair.

REP. SUAREZ. And I would like to assume that you're sticking by that oath.

MS. SANCHEZ. Yes, Mr. Chair.

REP. SUAREZ. Okay. So, let's just go back a little bit in memory lane, Atty. Sanchez. When we last had a chance to converse, ito pong November 11, babasahin ko lang po itong transcript natin. Nakasulat po dito, Ms. Sanchez, Mr. Chair, based on documents, you mentioned that you have no details about the confidential fund. You mentioned that you have no information or knowledge about the confidential fund. Is that correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. SUAREZ. You also mentioned that although you are part of the planning, the actual liquidation and utilization, wala po kayong kinalaman. Sinabi ninyo po iyon?

MS. SANCHEZ. Mr. Chair, I...For the planning's aspect, Mr. Chair, I was only the signatory as noted by in the physical and financial plan, but as to the specific details, Mr. Chair...

REP. SUAREZ. Yes.

MS. SANCHEZ. ...I have no knowledge.

REP. SUAREZ. And then, I mentioned, "Kayong finance and administrative officer, you have full knowledge and control over the operations of the Office of the Vice President, that is part of your responsibility." And I stressed the question, my question was, "Who has knowledge and information over the confidential funds, the utilization and the liquidation?" And you mentioned that?

MS. SANCHEZ. Mr. Chair, based on the documents, I would presume, it would be the Special Disbursing Officer, Mr. Chair.

REP. SUAREZ. Yes. Other than the Special Disbursement Officer, you mentioned the name Ms. Gina Acosta. Is that correct?

MS. SANCHEZ. That's correct, Mr. Chair.

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REP. SUAREZ. Yeah. And I asked you, "Ms. Gina Acosta holds office under whom?" And you mentioned?

MS. SANCHEZ. That she is assigned to the Office of the Chief of Staff, Mr. Chair.

REP. SUAREZ. Yes. And the Chief of Staff being?

MS. SANCHEZ. Atty. Lopez, Mr. Chair.

REP. SUAREZ. Attorney?

MS. SANCHEZ. Lopez.

REP. SUAREZ. Zuleika Lopez?

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. The person behind you...the person beside you?

MS. SANCHEZ. Beside me. Yes. Mr. Chair.

REP. SUAREZ. Now, Ms. Lopez, Gina Acosta works directly under you, is that correct?

MS. LOPEZ. Ah, Your Honor, Ms. Gina Acosta is one of the employees under the Office of the Chief of Staff.

REP. SUAREZ. No, no, no. My question is she works under you.

MS. LOPEZ. Under the Office of the Chief of Staff, Your Honor.

REP. SUAREZ. Yes. So, you have management control/supervision over her?

MS. LOPEZ. Ah, in certain cases, Your Honor, because she acts as the supervising...

REP. SUAREZ. No. Ms. Lopez, Atty. Lopez, you know, it's something na I've been noticing about the way you've been answering.

MS. LOPEZ. Yes.

REP. SUAREZ. You've been very selective and evasive. You know, this is categorically just a...Because I'm starting to believe na you're trying to paint an image of a Chief of Staff that's not actually the role of a Chief of Staff.

I've worked with many Chiefs of Staff. And Chiefs of Staff have full control, knowledge, and information about what happens internally and externally in every office. Ba't parang dito sa lagay mo, hindi yata ganoon?

So, anyway, my question is, Gina Acosta works under you, oo o hindi?

MS. LOPEZ. Ah, yes.

REP. SUAREZ. Okay. She answers to you? Yes or no?

MS. LOPEZ. Ah, yes, Your Honor.

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REP. SUAREZ., So, if she answers to you, she's the SDO, therefore, you would know about her activities, her responsibilities and duties as a Special Disbursement Officer?

MS. LOPEZ. No, Your Honor. No. I was not the person who designated her, Your Honor...

REP. SUAREZ. No. No. No. That is not my...That is not my question, Atty. Lopez. My question is, she works under you, you confirmed. You manage her, yes. Now, my question is, Atty. Lopez, Gina Acosta, you confirm that she works under you. That is correct?

MS. SANCHEZ. She works with the Office of the Chief of Staff.

REP. SUAREZ. Yes. And you are?

MS. SANCHEZ. The Chief of Staff.

REP. SUAREZ. There you go, right?

Now, because she works under you, you supervise her activities, correct?

MS. LOPEZ. Certain activities, Your Honor.

REP. SUAREZ. Why is it that somebody will work under you and you can only supervise certain activities?

MS. LOPEZ. Because she works with the Office of the Chief of Staff, Your Honor, as admin officer, not as disbursing officer. So, I only have a direct hand in her work as admin officer, which is personnel management...

REP. SUAREZ. Kasi ang sinabi ni Atty. Sanchez, pagdating sa confidential funds, Atty. Lopez, matanong na kita, may information ka tungkol dito, mayroon o wala?

MS. LOPEZ. Wala po.

REP. SUAREZ. Eh, bakit sinabi ni...ng katabi mo na pagdating sa Confidential Intelligence Fund ng Office of the Vice President, tatatlong tao lang ang may knowledge at information dito—ikaw, Gina Acosta, at si Vice President Sara Duterte. Iyan ang sinabi ng katabi mo. Here. So, please explained to me, why would the person beside say that and you would deny that?

MS. LOPEZ. Your Honor, I cannot answer...

REP. SUAREZ. Are you going to fire her, too?

MS. LOPEZ. I cannot answer for Director Sanchez, Your Honor.

REP. SUAREZ. I know.

MS. LOPEZ. I can only answer for myself.

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REP. SUAREZ. But my question is, to you, Atty. Lopez, she has that opinion, it's on record, under oath, three people have knowledge and information on the confidential funds—you, Gina, the person that works under you, and the Vice President. So, why is it now that when I'm asking you, wala, wala kang kinalaman?

MS. LOPEZ. Ah, Your Honor, Mr. Chair, because that is the truth. I really have no personal knowledge as regards the matter of confidential funds.

REP. SUAREZ. Okay. Kung talagang...

(MS. JOAN E. GRUTA TOOK OVER)

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REP. SUAREZ. (Continuing)...Kung talagang wala kang kinalaman, Attorney Lopez, sa utilization ng Confidential Funds, why is it that on April 19, 2024, where your signature is affixed to a document that was forwarded to COA, ikaw ang sumasagot sa Audit Observation Memorandum ng COA? Kung wala kang kinalaman sa Confidential Funds, eh, bakit ikaw ang sumasagot kung wala kang kinalaman?

MS. LOPEZ. Your Honor, as I mentioned earlier, all external communications come from that Office of the Chief of Staff.

REP. SUAREZ. I know. But... But, Attorney Lopez, you're not making sense. You just mentioned that you have no knowledge and information about Confidential Funds and yet, to the AOM of COA, ikaw ang sumagot.

MS. LOPEZ. Your Honor, with all due respect, respectfully, even for other regular audits, ako po iyong external... all external comms, I sign off on it.

REP. SUAREZ. And also...

MS. LOPEZ. It's a matter of course.

REP. SUAREZ. ... Attorney Lopez, I'll bring you back to another document. August 21, 2024, muli na naman po kayong sumulat kay Chairman ng COA, at dito, sa laman po ng sulat ninyo ipinapakiusap ninyo na kung maaari huwag i-share ang audit observation ng COA sa Kongreso. Noong August 13, 2024, nag-issue ang House Committee ng Appropriations ng *subpoena duces tecum* sa COA kaugnay ng COA audit report tungkol sa pondo ng OVP at DEPED. Matapos ang ilang budget hearing kung saan tinalakay ang paggastos ng OVP at ng DEPED Secretary ng pondong ito na umaabot ng 125 million pesos sa loob lamang ng labing... ng labing-isang araw, totoo po ba ito?

MS. LOPEZ. Your Honor, I'm sorry, I did not catch the question. Respectfully, may you please repeat? I'm sorry.

REP. SUAREZ. Attorney Lopez, nag-issue po kayo ng sulat sa COA ng August 21, 2024. Tama po ba, mali?

MS. LOPEZ. Yes, Your Honor.

REP. SUAREZ. Ano po ang dahilan kung bakit po kayo sumulat sa COA?

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MS. LOPEZ. I understand during that time, Your Honor, there was a subpoena issued to the Commission on Audit for the release of certain documents pertaining to the audit, ongoing audit of the... some transactions of the Office of the Vice President.

REP. SUAREZ. So... So ang dahilan, ang dahilan kung bakit po kayo sumulat sa COA ay upang pigilan ang COA mag-release ng kanilang audit report and other related documents tungkol sa utilization ng Confidential Funds ng OVP at ng DEPED.

MS. LOPEZ. We were...

REP. SUAREZ. In your words, in your words, you said here you are of the position that the subject subpoena should not be complied with. Is this correct?

MS. LOPEZ. Your Honor, in this...

REP. SUAREZ. Is this correct? It's a yes or no, Attorney Lopez. Is this correct? Were these the words you affixed on your letter?

MS. LOPEZ. Your Honor...

REP. SUAREZ. It's a yes or no, Attorney Lopez. Oo lang po at hindi. Nandito po iyong kopya ng sulat. Kung gusto niyo po, bigyan ko po kayo ng kopya ng sulat ninyo...

MS. LOPEZ. May I please...

REP. SUAREZ. ...at saka nandito po iyong signature ninyo sa kopya... sa sulat.

MS. LOPEZ. Your Honor, respectfully, may I request a copy of the said letter so I can...

REP. SUAREZ. ComSec, can you please give this to the person who has lost her memory? Can you just confirm this letter?

MS. LOPEZ. Ah, yes, Your Honor...

REP. SUAREZ. Okay.

MS. LOPEZ. ...indicated in the second paragraph...

REP. SUAREZ. Anyway, ComSec, can I have my copy back since she has confirmed the letter.

MS. LOPEZ. Okay. Thank you, thank you.

REP. SUAREZ. When you issued this letter, Attorney Lopez, did you act... did you act on your own volition? Yes or no?

MS. LOPEZ. No, Your Honor.

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REP. SUAREZ. Hindi, hindi kayo nag-iisa? So, sino ang kasama ninyo noong ito po ay inyong ipinarating sa Commission on Audit, na hindi dapat sila sumunod sa *subpoena duces tecum* ng Kongreso?

MS. LOPEZ. Your Honor, this was a matter I consulted with Mr. Lemuel Ortonio.

REP. SUAREZ. Kayong dalawa lang?

MS. LOPEZ. Yes, Your Honor, for the matter of the requesting COA.

REP. SUAREZ. So, ang sinasabi mo, walang alam si Vice President tungkol dito?

MS. LOPEZ. Your Honor, it was a letter that...

REP. SUAREZ. Ma'am, it's a yes or no. Let's not make life difficult. May kinalaman ba ang Bise Presidente sa sulat na ito, oo, hindi?

MS. LOPEZ. Opo, yes.

REP. SUAREZ. So, she knew about the letter, correct?

MS. LOPEZ. Yes, Your Honor.

REP. SUAREZ. Before you... Before you signed off to it and... and sent it to COA, correct?

MS. LOPEZ. Yes.

REP. SUAREZ. So, kayo po ba, Attorney Lopez, kasi ang dating po sa amin nito ay, una, hindi ninyo nirerespeto iyong subpoena authority ng Kongreso. Pangalawa, parang sinusupil niyo iyong karapatan ng mamamayan malaman kung paano ginagamit ang pondo ng mga ahensiya na pinagkakatiwalaan ng mamamayan. Na pagdating sa oversight function ng Mababang Kapulungan at ng Senado, kung ito man ay kanilang gagamitin, ito ay hindi ninyo kinikilala. Dahil sa sulat na ito, ipinapakiusap ninyo sa COA na huwag sumunod sa... sa subpoena na in-issue ng Kongreso para hindi Ibigay ang COA report sa Kongreso. At sa aking pananaw, this is one way of—how do you explain it, Congressman Zia? You're good in explaining—of covering the truth. Na pinagtatak... na tinatakpan ang katotohanan. Kasi, kung wala naman kayong tinatago, hindi ba, kung wala naman kayong tinatago, ba't niyo pa papakiusapan iyong isang ahensiya na hind i-share ang mga dokumento patungkol sa isang imbestigasyon na isinasagawa ng... ng isa pang ahensiya, hindi ba?

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Ngayon, Attorney Lopez, dahil sa sulat na inilabas ninyo, at inamin niyo rin naman na ikaw, si Mr. Ortonio, tama po ba, at ang ating Bise Presidente ang may alam tungkol sa sulat na ito. Hindi po ba kayo naniniwala na karapatan ng taong-bayan malaman ang... kung paano niyo po ginastos ang pera na ipinagkatiwala sa inyo?

MS. LOPEZ. Your... Your Honor, may I answer?

THE CHAIRPERSON. Please answer.

MS. LOPEZ. Mr. Chair, thank you.

Respectfully, Your Honor, that letter does not, in anyway, seek to undermine the power of Congress as regards matters regarding to the power of the purse. It is not. It is simply a request from the... to the Commission of Audit given that there is still an ongoing audit investigation. That's why we... we requested that since hindi pa naman po natatapos iyong audit, hindi naman po din tama na ibibigay na muna iyong ganoong documents with due respect also to the audit still being done...

(MS. EMERITA E. AVILA TOOK OVER)

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MS. LOPEZ. (Continuing)...being done at the Office of the Vice President. So, iyon lang po iyong position namin. We do not seek to belittle nor undermine the power of Congress, Your Honor. That is the farthest...

REP. SUAREZ. Yes, but...

MS. LOPEZ. ...and the least of our intention.

REP. SUAREZ. ...but, Attorney Lopez, that is not a call for you to make. Right?

MS. LOPEZ. Your Honor, it...

REP. SUAREZ. Precisely because you are the agency that is being investigated. That's totally uncalled for. You're asking another agency not to cooperate with Congress when an ongoing investigation is happening. That's suppression of the truth, at the very least. Dapat hinayaan niyo na lang, hindi ba, kung wala naman kayong tinatago. Puwede niyo naman po ipaliwanag iyon dito 'pag nag-hearing na tayo. Kaso nandito po sa sulat ninyo parang pinipigilan niyo iyong COA at pinapakiusapan niyo na huwag niyong ibigay, na sa palagay ko po ay hindi po tama. Hindi po tama sa maraming aspeto ng pagtingin at pananaw. Kasi maaaring tama ang sinabi ninyo na hindi pa kumpleto iyong pagsusuri na ginagawa ng COA, but that's not your call to make, eh. That's COA's call to make which they have emphasized many times while they've been here. But for this letter, Attorney Lopez, mukha po kasing talagang ayaw ninyong malaman ng taong-bayan kung paano niyo po ginastos iyong 612 million pesos na confidential funds ng Office of the Vice President at pati po ng DEPED.

MS. LOPEZ. Your Honor, Mr. Chair.

REP. SUAREZ. Wait, I'll get to you, Attorney Lopez.

MS. LOPEZ. Okay.

REP. SUAREZ. So, ngayon, Attorney Lopez, are you still of the position that you have no knowledge about these confidential funds?

MS. LOPEZ. Yes, Your Honor.

REP. SUAREZ. You have two documents here that you signed off. One, questioning the... not naman questioning, na pinapaliwanag mo iyong AOM ng COA. Signature mo ang naka-affix doon. Number two, another letter addressed to COA na ipinapakiusap mo sa COA na huwag munang ibigay ang audit observation sa Kongreso. That's your signature. Am I correct, Attorney Lopez?

MS. LOPEZ. That is correct, Your Honor.

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REP. SUAREZ. And you are still expecting that the Committee will believe you na 'pag sinabi mo hanggang ngayon, wala ka pa ring alam, maski dalawang beses ka nang sumulat sa COA tungkol sa confidential fund.

MS. LOPEZ. Your Honor, quick reading of the letter would indicate...

REP. SUAREZ. No, that's my... Anyway, Mr. Chair, I would just like to end my point because I don't think Attorney Lopez will cooperate with us anyway. I would just like to manifest those two letters are true. Those two letters cannot be denied. Her signature is on those two letters. Those two letters are both addressed to the Commission on Audit. One, intent of the letter, ipinapaliwanag iyong audit observation. Pangalawang sulat, ipinapakiusap sa COA na huwag i-share at ibahagi ang audit observation sa Kongreso.

So, napakahirap pong paniwalaan na ang isang taong nakapirma sa dalawang sulat na iyan ay walang kinalaman patungkol sa isyung kaniyang ipinapakiusap sa Commission on Audit. No one in their right mind, Mr. Chair, will affix their signature in a document that they do not have any knowledge of. Abogado po kayo, Attorney Lopez. Kung ako nga, pipirma lang sa dokumento, inaaral ko muna kung ano'ng nilalaman. Ito pa, COA. Dito pa pera ng taong-bayan.

Sorry, Mr. Chair.

THE CHAIRPERSON. Thank you...

REP. A. D. GONZALES. Mr. Chairman.

THE CHAIRPERSON. ...Deputy Speaker Jay Suarez.

REP. ADIONG. Mr. Chair, just a...

MS. LOPEZ. Respectfully...

THE CHAIRPERSON. Before I...

MS. LOPEZ. ...Mr. Chair.

THE CHAIRPERSON. ...recognize Congressman Zia and...

MS. LOPEZ. Respectfully, Mr. Chair.

REP. A. D. GONZALES. Ah, she wants to answer.

THE CHAIRPERSON. Yes, you want to respond?

MS. LOPEZ. Yes, Your Honor.

THE CHAIRPERSON. Okay.

MS. LOPEZ. As regards the matter of the writing to the Commission on Audit, as regards the subpoena, we recognize the authority and the power of the Commission on Audit, Your Honor, as to all matters pertaining to audit, which is why we wrote to them. That was just a request on the end of the Office of the Vice President.

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And as regards the matter of explana...explaining or explanation sent as to the AOM, those are matters, Your Honor, that, as I mentioned earlier, external communications fall under the Office of the Chief of Staff. The matter as to the preparation, *et cetera*, as long as it's in good compliant with form, those are matters that I sign off to as a matter of course. Hence, the two letters, Your Honor.

Thank you.

THE CHAIRPERSON. Thank you, Attorney Lopez.

Yes, Senior Deputy Speaker Dong Gonzales, you're recognized.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

Attorney Zuleika Lopez, Ma'am, kanino ho...kanino ho nagre-report si Gina Acosta at Edward Fajarda when it comes to confidential funds po?

MS. LOPEZ. Your Honor, I am not privy to that information.

REP. A. D. GONZALES. Although you are the Chief of Staff, Ma'am, hindi mo alam iyon?

MS. LOPEZ. Yes, I am the Chief of Staff, but I have a certain role. It's a... As mentioned earlier, Your Honor, Mr. Chair, in the Office of the Vice President, parang compartmentalized siya. We only perform certain functions. And my area of expertise is actually operations, Your Honor, for our social economic...socio-economic programs.

REP. A. D. GONZALES. Yes, Ma'am, but you have been with Gina Acosta, since you were the City Administrator of Davao. Tama po ba?

MS. LOPEZ. That is correct, Your Honor.

REP. A. D. GONZALES. But Gina Acosta holds confidential funds. Tama po ba?

MS. LOPEZ. She is the SDO.

REP. A. D. GONZALES. So, does that mean that the Vice President trusts her more than you, Ma'am, but you are the Chief of Staff?

MS. LOPEZ. Your Honor, I cannot presume to answer for the Vice President and as to who she trusts.

REP. A. D. GONZALES. If I am the Congressman, I have my Chief of Staff, of course, I will call first my Chief of Staff. Everything, malalaman ko po iyon. Kaya on Gina Acosta, parang pinagtitiwalaan po si Gina Acosta than you ng ating Vice President. Tama po ba?

MS. LOPEZ. Again, Your Honor, I cannot answer for the Vice President. If she will trust another person more than she trusts me, I cannot answer that.

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REP. A. D. GONZALES. Did Gina Acosta ever coordinate the confidential fund with you, Ma'am?

MS. LOPEZ. No, Your Honor.

REP. A. D. GONZALES. So, she kept everything, confidential fund, and did not clear to you, Ma'am?

MS. LOPEZ. No, Your Honor. She did not provide me. She does not report to me on matters like that.

REP. A. D. GONZALES. Parang hindi kapani-paniwala po iyon, Ma'am, ha? Pakiulit po.

MS. LOPEZ. Your Honor, as stated earlier, she is... Ms. Gina Acosta is with the Office of the Chief of Staff. That is correct. She is our supervising admin officer. She is our... our safety officer. She handles the personneling and procurement of office supplies in our...in the Office of the Chief of Staff, Your Honor. That is one of her many functions and that is...those are the functions that she reports to me. But as regards the disbursement, those are matters that I am not privy to, Your Honor.

REP. A. D. GONZALES. Thank you. Mr. Chairman.

Attorney Lopez, can you tell us your working relationship with Ms. Gina Acosta?

MS. LOPEZ. Professional, Your Honor. We have a professional working relationship.

REP. A. D. GONZALES. On the subpoena letter, why did you write COA not to comply with the Committee subpoena, Ma'am?

MS. LOPEZ. Why did we write...

REP. A. D. GONZALES. Why did you write COA not to comply with the Committee subpoena?

MS. LOPEZ. Your Honor, that was the position of the Office of the Vice President, given that there was an ongoing audit of the funds being undertaken at that time. So, we felt it was...it was our position that masyado pa siyang...hindi pa siya... It's too early to be providing data because it is not actually final. That was our position, Your Honor.

REP. A. D. GONZALES. So, meaning to say, you are... This is not an obstructing...

(MR. JEFFREY C. OVILLA TOOK OVER)

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REP. A. D. GONZALES. *(Continuing)...obstructing the process from Congress,* Atty. Lopez?

MS. LOPEZ. Your Honor, it is...that is the farthest from our intention. That's why we wrote...it is actually a recognition of the power of both Congress for the power of the purse and COA, also, for all things audit, that's why we wrote the Commission on Audit for this matter. It was simply a request, Your Honor, that they can approve or deny.

REP. A. D. GONZALES. I thought...I thought that you had nothing to do with the *confidential funds. So, what's the reason for the letter then, Atty. Lopez? What is* the reason for the letter?

MS. LOPEZ. Your Honor, as mentioned earlier, all external communications come from and emanate from the Office of the Chief of Staff. This was a matter that was raised by Mr. Ortonio. And when I...when I also read the letter, I was of the position that tama naman iyon kasi mayroon pang ongoing audit. So, it is on this...on this belief and our position that we wrote and requested from the Commission of...on Audit.

REP. A. D. GONZALES. So, ngayon po, Mr. Chairman...So, ngayon po, Mr. *Chairman, naniniwala na kayo na you know very well what's going on with the* confidential funds? Naniniwala na po kayo? You know everything?

MS. LOPEZ. Your Honor...

REP. A. D. GONZALES. You know very well what's going on on the confidential funds based on your answers and statement.

MS. LOPEZ. Your Honor, it is really a response to the ongoing audit. Iyon lang po iyong role ko as Chief of Staff because all letters emanate from the Office of the Chief of Staff, and for reasons of parity, Your Honor, because we are writing the Commissioner, it is *the highest official from the OVP who will have to sign off on the* letter. Hence, it was signed as a matter of course, Your Honor...

REP. A. D. GONZALES. Thank you, Mr. Chairman.

MS. LOPEZ. ...Mr. Chair.

REP. A. D. GONZALES. I received a letter now...ah, I received a picture now from Butuan. Sabi ninyo nandoon si SDO Gina Acosta. May naki...natanggap po akong picture, eh, wala pong tao doon sa Butuan. Mayroong mga umiikot lang mga ilang tao, pero sabi ninyo may activities po sa Butuan.

Mr. Chairman, could you please answer that? As of this point in time, walang tao po sa Butuan, doon sa inyong opisina doon.

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MS. LOPEZ. Your Honor, Mr. Chair, I understand from the statement of Director Baloro that the event is in Gingoog.

REP. A. D. GONZALES. You told me that is a simultaneous event...

MS. LOPEZ. Opo.

REP. A. D. GONZALES. ...but there is no...wala pong tao sa Butuan.

MS. LOPEZ. Hindi po sa opisina ng Office of the Vice President sa Butuan, Your Honor. It's in another area which are...Ah, hindi po sa opisina. Mayroon po kaming opisina, Your Honor, Mr. Chair, sa Caraga, that is found in the City of Butuan. *Totoo po iyon. But the event...kasi simultaneous activities iyan, Your Honor, hindi po* siya nangyayari sa opisina but on ground. Katulad ng sinabi po niya, Gingoog City and Magallanes.

REP. A. D. GONZALES. Anyway...

REP. ADIONG. Mr. Chair.

REP. A. D. GONZALES. ...thank you po, Atty. Lopez and Mr. Chairman.

REP. ADIONG. Mr. Chair, I was the one who asked that specific question, eh. I asked him where exactly are these activities happening now, and ang sabi po niya...I *wasn't...I wasn't asking him about the satellite offices. I was asking him where exactly* in Caraga are these activities now happening today. So, it's either you gave me a wrong answer or you are just lying, you are trying to evade my question. I asked you specifically where particular areas in Caraga are these happening kasi kaya nga wala dito si Ms. Gina ano, kasi dahil doon, eh.

MR. BALORO. Your Honor, I'm...

REP. ADIONG. And now, you're telling me...you're telling us now, Mr. Chair, that you are referring to the location of your satellite offices?

MR. BALORO. *Mr. Chair.*

REP. ADIONG. Well, I wasn't ex...I wasn't asking him about the satellite offices, I was asking him where exactly are these activities been going on today that's happening.

REP. A. D. GONZALES. Mr. Chairman, Atty. Lopez, with your indulgence, are you not feeling well, Ma'am? Are you okay?

MS. LOPEZ. Your Honor...

REP. A. D. GONZALES. Kailangan mo ng therapist, Ma'am? Parang masakit iyong ano mo.

MS. LOPEZ. Thank you. I have a...

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THE CHAIRPERSON. *Masakit po iyong likod niya.*

MS. LOPEZ. ...back concern, Your Honor. I am a scoliotic, so...

REP. A. D. GONZALES. Ah, okay.

MS. LOPEZ. ...I requested the Chairman, actually, early on that I be allowed to stand every 20 minutes because I cannot stay in one stiff position, otherwise, my back will really, really hurt, Your Honor, and then I will have migraine.

REP. A. D. GONZALES. Okay.

MS. LOPEZ. So, that is the case.

REP. A. D. GONZALES. Thank you. Thank you, Mr. Chairman.

THE CHAIRPERSON. Okay, I will move for a one-minute suspension. But before that, the next interpellator is...

REP. ADIONG. I think, Mr. Chair...

THE CHAIRPERSON. ...Congressman...

REP. ADIONG. ...let's....with due respect to...

THE CHAIRPERSON. Yes.

REP. ADIONG. Because ang sabi po ni SDS kanina, pina...pinaano po nila, pina-verify nila at wala. And I think we need an...we need an answer kasi I want...I wanted to ask Baloro where exactly in Caraga are these activities being conducted today.

MR. BALORO. Mr. Chair.

THE CHAIRPERSON. Yes, please answer, Mr. Baloro.

MR. BALORO. Mr. Chair, I am confirming that there was an activity happened in Gingoog and in Magallanes in Butuan City, Your Honor.

REP. ADIONG. Yeah, but I...

MR. BALORO. I have.

REP. A. D. GONZALES. Palagay ko tatlo, eh.

REP. ADIONG. Tatlo. So, I guess the...Kanina, pina-verify, and there was no activity.

Anyway, at any rate, Mr. Chair, I just want to find out, really, kasi parang ang dami nang disconnect dito, eh. We are not getting any...

THE CHAIRPERSON. Correct answers.

REP. ADIONG. ...correct answers.

THE CHAIRPERSON. Yes.

REP. ADIONG. Thank you, Mr. Chair.

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REP. PADUANO. Mr. Chairman...

THE CHAIRPERSON. Yes, Congressman...

REP. PADUANO. ...just a short interjection.

Director Baloro...

THE CHAIRPERSON. ...Paduano.

REP. PADUANO. ...will you confirm that, indeed, there is an activity there?

MR. BALORO. Your Honor, yes, Your Honor, because...

REP. PADUANO. Can you provide us the proof?

MR. BALORO. Yes, Your Honor, I can provide you with the...with the photos sent to me by my staff, Your Honor.

REP. PADUANO. Ngayon?

MR. BALORO. Yes, Your Honor.

REP. PADUANO. Saan?

MR. BALORO. Sa Gingoog, Your Honor, in Magallanes, and in Butuan City in Caraga, Your Honor.

REP. PADUANO. Kumpleto ba iyon, iyong ano niya, date...

MR. BALORO. Yes, Your Honor.

REP. PADUANO. ...and time doon sa pictures?

MR. BALORO. ATM, Your Honor.

THE CHAIRPERSON. At the moment.

REP. A. D. GONZALES. At the moment?

THE CHAIRPERSON. At the moment.

REP. PADUANO. Ngayon? Ngayon?

MR. BALORO. Yes, Your Honor.

REP. A. D. GONZALES. ATM?

MR. BALORO. I can...I can...I can share it to the...

REP. PADUANO. Okay.

MR. BALORO. ...Committee, Your Honor.

REP. PADUANO. Mr. Chairman, may we direct the ComSec to secure that video or photos.

THE CHAIRPERSON. Okay. ComSec, please get a copy po.

REP. PADUANO. And then, Mr. Chairman, ganito lang po, Director. Alam ko po, si Atty. Lopez iyong direct principal ni Acosta, and in this case, this is kasi an activity in which you're the one who supervises these...all these activity, 'di ba? Tama?

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MR. BALORO. *Yes, Your Honor, under the satellite office,* Your Honor.

REP. PADUANO. Do you have a number of Acosta?

MR. BALORO. I'll check it here, Your Honor.

REP. PADUANO. Do you...Please check from your staff in the area if Ms. Acosta is present.

MR. BALORO. I'll do it, Your Honor.

REP. PADUANO. Please.

MR. BALORO. Thank you.

REP. PADUANO. *Before the end of this hearing, dapat alam na natin kung* nandoon siya o wala.

MR. BALORO. I'll check it, Your Honor.

REP. PADUANO. Thank you.

MR. BALORO. Thank you.

REP. PADUANO. Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize Congressman Keith Flores.

REP. FLORES. *Thank you, Mr. Chair.*

Miss...Atty. Sanchez, earlier, you...I asked you to call up your personnel about the tickets that were purchased. Do you have the information already?

MS. SANCHEZ. Yes, Mr. Chair. From our Procurement Unit, they advised that no request for booking was made.

REP. FLORES. So, no request for booking was made, yet they are supposedly out to attend to the activities that were just mentioned by Mr. Baloro, correct?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. FLORES. *So, now, am I to presume that they went to these activities* using their own personal funds, and they've purchased their own tickets?

MS. SANCHEZ. I have no personal knowledge on that.

REP. FLORES. Would that be a normal activity on the part of OVP personnel that when they go to activities of the OVP, they purchase their own tickets?

MS. SANCHEZ. There had been some instances...

REP. FLORES. Some instances.

MS. SANCHEZ. ...Mr. Chair, and then it was filed as reimbursement upon liquidation, Mr. Chair.

REP. FLORES. Is that allowed under the COA rules?

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MS. SANCHEZ. Yes, Mr. Chair.

REP. FLORES. All right. So that...they can purchase their own tickets?

MS. SANCHEZ. Yes, Mr. Chair.

REP. FLORES. Okay. Now, Atty. Sanchez, you've been working with Atty. Lopez for quite some time, correct?

MS. SANCHEZ. Since August...ah, sorry, July 2022, Mr. Chair.

REP. FLORES. And would you say that she runs a tight ship?

MS. SANCHEZ. Ah...

REP. FLORES. Meaning, she knows what she's doing and knows what's happening in the office as Chief of Staff of the President...the Vice President, rather.

MS. SANCHEZ. I would say so, Mr. Chair.

REP. FLORES. Yes.

Now, how about you, Ms. Villadelrey, how long have you been working with the Chief of Staff, Atty. Lopez?

THE CHAIRPERSON. Ms. Villadelrey, you are recognized.

MS. VILLADELREY. Thank you, Your Honor.

Since 2022, Your Honor, July.

REP. FLORES. Since 2022.

And would you also confirm that Atty. Lopez runs a tight ship?

MS. VILLADELREY. I think so, Sir.

REP. FLORES. And that all of the things that happened in the Office of the Vice President usually—usually—she has a knowledge of?

MS. VILLADELREY. I suppose.

REP. FLORES. You suppose so? Okay.

How about you, Ms. Rabago?

MS. RABAGO. Yes, Mr. Chair.

REP. FLORES. Ha?

MS. RABAGO. What is the question, Mr. Chair?

REP. FLORES. The same question.

MS. RABAGO. Ah, I've been working with the Chief of Staff since July 2022...

(MS. ERLINDA C. REYES TOOK OVER)

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MS. RABAGO. (Continuing)...July 2022.

REP. FLORES. And again, does she run a tight ship?

MS. RABAGO. I suppose so.

REP. FLORES. No. No. Attorney Lopez, from Davao pa, eh, as City Administrator, I know she run the city pretty well, 'no.

Now, how about important documents, Ms. Rabago, if there are documents that you need the attention of the Vice President, example, do you give it directly to the Vice President or does it go through the Office of the Chief of Staff?

MS. RABAGO. As for me, since I am an Administrative Officer of the Budget Division, I report directly to the Chief Administrative Officer of the Budget Division, Sir.

REP. FLORES. And who that is?

MS. RABAGO. That is Mr. Kelvin Teñido, Sir.

REP. FLORES. Okay.

Yes, Sir. How about you, Sir? If there are important things that you need to get to the... to give to the Vice President, do you give it to her directly or do you through the Office of the Chief of Staff?

MR. KELVIN GEROME L. TEÑIDO (Chief Administrative Officer, Office of the Vice President). Initially, Sir, I will consult it first with the Office of the...

REP. FLORES. Consult it first with...

MR. TEÑIDO. ...Admin and Finance Director po.

REP. FLORES. Admin and Finance, Attorney Sanchez.

MR. TEÑIDO. Yes, Sir.

REP. FLORES. But never directly to the Vice President?

MR. TEÑIDO. Never.

REP. FLORES. Never.

MR. TEÑIDO. Never.

REP. FLORES. Also, you, Ms. Rabago?

MS. RABAGO. Yes, Sir.

REP. FLORES. How about you, Ms. Villadelrey?

MS. VILLADELREY. Same, Your Honor.

REP. FLORES. To Sanchez also?

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MS. VILLADELREY. Yes, Sir. I will present first to the director of Admin and Finance.

REP. FLORES. How about you, Attorney Sanchez, do you go directly to the Vice President or through the Chief of Staff, Attorney Lopez?

MS. SANCHEZ. Your Honor, I report directly to the Assistant Chief of Staff.

REP. FLORES. Oh, Orton... Ortonio.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. And then Ortonio to the Chief of Staff?

MS. SANCHEZ. I would presume, Your Honor.

REP. FLORES. You would presume. Would that be correct, Attorney Lopez—Ortonio to you then to the Vice President?

MS. LOPEZ. Yes. Mr. Ortonio to me.

REP. FLORES. Okay. Now, how about the... I saw your signature kanina, Attorney Sanchez, on some of the disbursement vouchers, 'no, sa Confidential Funds. Tama ba iyon? Was that yours?

MS. SANCHEZ. Mr. Chair, I only signed the checks but not the disbursement voucher.

REP. FLORES. Ah, checks. Okay. Not the disbursement vouchers. But just the checks, you and?

MS. SANCHEZ. And Mr. Ortonio.

REP. FLORES. You and Mr. Ortonio. Okay.

Now, I really wanted to ask the disbursing officers, 'no, but they are not around. And I'm wondering if the Bureau of Treasury can help me out on... on this matter, 'no. As a disbursing officer, you are what you call an accountable officer, correct?

MR. JEREKKO A. CADORNA (Officer-in-Charge, Complaint and Investigation Division, Bureau of the Treasury). Good afternoon, Your Honor. Yes, that is correct.

REP. FLORES. Now, as an accountable officer, you are called one because the money that is given to you, you're accountable for it?

MR. CADORNA. That is correct, Your Honor.

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REP. FLORES. All right. Now, you can only be an accountable officer if you are properly bonded, correct?

MR. CADORNA. That is a... That is the requirement for accountable officers. As provided under the Public Bonding Law, that all accountable officers, whenever the nature of their duties permit or require the custody of funds or property for which he is accountable, that accountable officer must secure or must post a fidelity bond.

REP. FLORES. A fidelity bond.

MR. CADORNA. Yes, Your Honor.

REP. FLORES. And what is the requirement on the fidelity bond? Magkano ba dapat ang i-post nila na fidelity bond?

MR. CADORNA. On that matter, Your Honor, there is a matrix...

REP. FLORES. Okay.

MR. CADORNA...provided under the pertinent Treasury circulars.

REP. FLORES. What is the matrix?

MR. CADORNA. It's a table, Your Honor.

REP. FLORES. All right. Let's give, for example, the SDO this time is Acosta, Gina Acosta. Ano ba ang matrix niya mahuhulog? Anong... Anong level ba?

MR. CADORNA. On that matter, Your Honor, we... I would yield to the BTr NCR Regional Office which, in their records, the bond posted.

REP. FLORES. Ms. Austria.

MS. CONCEPCION S. AUSTRIA (Officer-in-Charge, National Capital Region, Regional Office, Bureau of the Treasury). Good afternoon po, Your Honor.

REP. FLORES. Good afternoon.

MS. AUSTRIA. For Ms. Acosta's accountability, the amount of accountability declared in the application form...

REP. FLORES. Can you put the mic closer so that we could hear you, please?

MS. AUSTRIA. The amount of accountability for Ms. Acosta that was indicated in the fidelity bond application form is 500 million.

REP. FLORES. Five hundred million?

MS. AUSTRIA. Yes po.

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REP. FLORES. Ang fidelity bond?

MS. AUSTRIA. Amount of accountability.

REP. FLORES. Amount of accountability. But how much fidelity bond did she put up?

MS. AUSTIRA. For that accountability, it has a corresponding amount of bond for 8 million.

REP. FLORES. Eight million.

MS. AUSTRIA. Yes po.

REP. FLORES. And the 8 million fidelity bond can be used to cover the amount of up to 500 million, correct?

MS. AUSTRIA. Yes, Your Honor. Yes, Your Honor.

REP. FLORES. So, it's not double the amount of the bond lang?

MS. AUSTRIA. It is accordance... in accordance with the matrix.

REP. FLORES. The matrix.

MR. CADORNA. Your Honor, if I may interject?

REP. FLORES. Yeah.

MR. CADORNA. On that matter, Your Honor, the bond coverage under our... under our table, under the matrix issued by the Bureau of the Treasury, ordinarily would not cover the entire accountability.

REP. FLORES. Okay.

MR. CADORNA. On that regard, Your Honor, if I... if we may quote the position paper of the Bureau of the Treasury as to why... why the policy is such. But in sum, it is because of the fiscal impact that a reimbursement from the fidelity fund from the Bureau of the Treasury can... that it... the fiscal impact that may occur when reimbursement is made.

REP. FLORES. Can you explain that in layman's terms, ano, Mr. Cardona?

MR. CARDONA. Your Honor...

REP. FLORES. Ano iyong is the fiscal impact and ano? Let's say, it's... it's 8 million bond that covers amount up to 500 million, bakit ganoon?

MR. CADORNA. Your Honor, if I may quote the position paper of the Bureau of the Treasury on the limitation on bond coverage due to the moral hazards and

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fiscal implications in the event of a successful claim. If we may preface this, Your Honor, that for the purpose of covering claims based on the fidelity bond, the Public Bonding Law established the fidelity fund which consists of all monies that have been or should have been lawfully covered into the fidelity fund as previously constituted, along with future accretions resulting from premiums, profits on investments, or payments made to cover...

REP. FLORES. Okay, enough. That's enough, 'no. I can't really even understand it. Ang akin lang is like, if I put up... how much did she put up, an 8 million fidelity bond, Ma'am?

MS. AUSTRIA. The amount of accountability...

REP. FLORES. Not accountability, but the amount of fidelity bond that you put up.

MS. AUSTRIA. Eight hundred million.

REP. FLORES. Eight hundred million?

REP. PADUANO. Four-eight million?

MS. AUSTRIA. Eight million, sorry.

REP. FLORES. Eight million, tama. Now, ang purpose po ng fidelity bond is supposedly to cover whatever money na dapat ibalik mo. Kasi you, as an accountable officer, for some reason or another, sabihin natin na it was spent improperly, and that should cover the amount that has been spent improperly, correct? Tama ba? Is that the purpose of the fidelity bond?

MR. CADORNA. The purpose of the fidelity bond, Your Honor, aside from the... aside from it being a legal requirement, if we may clarify, Your Honor...

REP. FLORES. Yeah.

MR. CADORNA. The fidelity bond is different and without prejudice to the responsibility of the accountable officer to... to be personally liable...

REP. FLORES. Kaya nga. But in general, supposedly, you put up a bond so that it can cover the amount na nasa iyo, tama ba?

MR. CADORNA. Yes, Your Honor.

REP. FLORES. That's a general principle, correct?

MR. CARDORNA. To cover the amount of the bond.

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REP. FLORES. Yeah.

MR. CARDORNA. Yes, Your Honor.

REP. FORES. So...

MR. CADORNA. If we may explain, Your Honor, to...

REP. FLORES. Go ahead.

MR. CADORNA. ...the limitation on bond coverage due to moral hazards and fiscal implications in the event of a successful claim, if we may quote the position paper of the Bureau of the Treasury, "The Bureau has established a limit on the coverage amount of a fidelity bond to mitigate moral hazards arising from the availability of bond coverage. Providing extensive bond coverage beyond that already given may have the unwanted effect of easing vigilance in the protection of public funds or property in possession of accountable officers since payment of successful claims against the fidelity fund may lessen the burden on the government agency in cases of unrelieved losses, shortages, and defalcations. Moreover, payments from the fidelity fund constitute money claims from government funds which may have fiscal implications. It is emphasized that claims on a fidelity bond are without prejudice to and entirely separate from the personal liability of the accountable public official who is directly responsible for unrelieved losses, shortages, and defalcations of government funds and property."

REP. FLORES. So, the fidelity bond coverage is separate and distinct from the personal liability of the person?

MR. CADORNA. That is correct. That is correct, Your Honor.

REP. FLORES. But generally, the fidelity bond is supposedly there to secure some form of reimbursement.

MR. CADORNA. Yes, Your Honor, to some extent.

REP. FLORES. Right? Now at least that wasn't such a long explanation, correct?

MR. CADORNA. Yes, Your Honor.

REP. FLORES. Okay. Thank you.

Now, in this particular case, the SDO was bonded for up to 8 million, correct? Eight million o 4 million ba? Eight million...

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MS. AUSTRIA. Eight million, Your Honor.

REP. FLORES. Eight million ang bond niya, 'no.

Now, in the event that the COA says or disallows certain expenses based on the Confidential Fund usage, what will happen to it?

MR. CADORNA. If I may answer that, Your Honor?

REP. FLORES. Yeah.

MR. CADORNA. With respect to claims from the fidelity fund...

REP. FLORES. Okay.

MR. CARDONA. ...that involves a different process, Your Honor.

REP. FLORES. Okay.

MR. CADORNA. If I may quote our Treasury Circular...

REP. FLORES. Again.

MR. CARDONA. ...02-2019...

REP. FLORES. Go ahead. You cannot just explain it?

MR. CADORNA. I would... I might say something incorrect. *(Laughs)*

REP. FLORES. Ah, sige.

MR. CARDONA. "Adjudication and payment of claim against the fidelity fund". First, Your Honor, the... the accountable officer or the government agency wherein there is shortages, losses, or defalcations may first or should first request for or apply for a relief from accountability from the Commission on Audit, which I would yield to... to the Commission on Audit on how this is evaluated...

(MS. MA. LUISA M. RAMIREZ TOOK OVER)

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MR. CADORNA. (Continuing)...evaluated. But from our understanding, this means that there is no responsibility on the part of the accountable officer because on the losses, shortages, or defalcations, primarily because of *force majeure*.

REP. FLORES. Okay.

MR. CODORNA. That is first the requirement. To try to apply...

REP. FLORES. Can we...Let me stop you there?

MR. CADORNA. ...first...

REP. FLORES. Let's just give an example na lang para hindi ganoon kahaba iyong *explanations ninyo*.

MR. CADORNA. Yes, Sir.

REP. FLORES. Example, the SDO disburses the fund, the confidential fund. COA says that's disallowed, *et cetera, et cetera*. They appeal, ang ending is hindi talaga puwede itong certain amount na ito. Ano'ng mangyayari? You go against the fidelity bond?

MR. CADORNA. That is one avenue or one remedy...

REP. FLORES. That is one remedy.

MR. CADORNA. Yes, that is one remedy.

REP. FLORES. But since the fidelity bond is less than the amount that was disallowed by COA, you go to the person himself?

MR. CADORNA. Yes, Your Honor.

REP. FLORES. The SDO.

MR. CADORNA. Yes, Your Honor. But on that...on the matter of claiming against the fidelity fund, we would also want to clarify that under the Public Bonding Law, this is also under the jurisdiction of the Commission on Audit, because of it...

REP. FLORES. I don't mind whose jurisdiction. I'm just saying ano'ng proseso po.

MR. CADORNA. Yes, Your Honor.

REP. FLORES. Yeah, 'di ba? Disallowed, you go against fidelity bond 'pag kulang iyan, you go against the person.

MR. CADORNA. Yes, Your Honor.

REP. FLORES. In other words...in that sequence.

MR. CADORNA. Yes...not exactly a sequence, Your Honor, because this...the claims against the fidelity fund is without prejudice to the liability of the accountable public officer...

REP. FLORES. Kaya nga...

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MR. CADORNA. ...they can also...

REP. FLORES. ...in this particular case nga.

MR. CADORNA. Yes, Your Honor.

REP. FLORES. Again, confidential fund, sinabing hindi puwede, *et cetera, et cetera*, they go through the entire course of appeals, *et cetera, et cetera*, final na bawal iyong paggastos nang ganoon, 'di ba? Fidelity bond and then the person also. Not necessarily in that order, but these are the two remedies that the government has. Tama po ba?

MR. CADORNA. Yes, Your Honor. Yes, Your Honor.

REP. FLORES. Again, there is shorter explanation, right?

MR. CADORNA. Yes, Your Honor. I would just like to clarify, Your Honor, that because of the intricacies involved, there has to be a recommendation from the COA that there is a successful...

REP. FLORES. Kaya nga assuming it's all there.

MR. CADORNA. Yes, Your Honor.

REP. FLORES. Assuming it's all there, kaya...you won't go after them naman if COA would not say that they are responsible, 'di ba? If COA says it's disallowed but he's not responsible, you wouldn't go against the person. It would be ridiculous to go against the person if sabi na nga ni COA hindi siya ang responsible. Tama po ba? Nalilito ka na. Anyway...

MR. CADORNA. What I'm trying to say, Your Honor, if I may...

REP. FLORES. Yeah, go ahead.

MR. CADORNA. ...the claims against the fidelity fund itself will also have to go through COA.

REP. FLORES. Yeah, of course, kaya nga I wouldn't say that there...

MR. CADORNA. Yes, Your Honor.

REP. FLORES. I'm arguing with you already. Ang sinasabi ko lang kunwari sinabi na ni COA, ito, 'di ba?

MR. CADORNA. Yes, Your Honor.

REP. FLORES. Then you against the bond and the person. Tama?

MR. CADORNA. Yes, Your Honor.

REP. FLORES. Iyon lang. Ang haba ng explanation mo, eh.

Now...

MR. CADORNA. My apologies, Your Honor.

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REP. FLORES. Atty. Sanchez, *itong confidential funds na ginamit nila*—and Atty. Lopez was explaining earlier—na parang compartmentalized ang Opisina ng Vice President, there are things that I do not know of. But in all of the documents of confidential fund, nandoon palagi iyong pangalan ni Ortonio, eh, the Assistant Chief of Staff, tama po ba? Checks, disbursements, nandoon?

MS. SANCHEZ. The disbursements and the checks, Mr. Chair.

REP. FLORES. Yes. Correct, check and disbursement?

MS. SANCHEZ. Yes.

REP. FLORES. Yet, Ortonio serves as the Assistant Chief of Staff of Atty. Lopez. Reporting to Atty. Lopez or directly to the Vice President?

MS. LOPEZ. Your Honor for...*(Interrupted)*

REP. FLORES. Atty. Sanchez. I'm asking Atty. Sanchez.

MS. SANCHEZ. Under the organizational chart of the OVP, Your Honor, Mr. Ortonio reports directly to the Chief of Staff.

REP. FLORES. To the Chief of Staff. And who is the Chief of Staff?

MS. SANCHEZ. Atty. Lopez.

REP. FLORES. Atty. Lopez.

So, paano...Atty. Lopez, now, it is your time. Paano mo ma-separate? Kasi you were emphasizing kanina na wala akong kinalaman diyan, wala akong kinalaman diyan. But all of the other persons I've been talking to say you're a tight ship. You know, almost everything that's happening in the Office of the Vice President. Yet in this particular matter, parang hugas-kamay ka, eh. Wala ho...wala akong kinalaman diyan. I don't know anything about the confidential fund. Yet, the people involved in the disbursement, the collection of the funds, and even the preparation with the documents are all under your office. Parang ang hirap pong paniwalaan na these are things that you do not know of, given the circumstances po.

MS. LOPEZ. Your Honor, Mr. Chair, I confirm that Mr. Ortonio reports to me directly for matters relating to the office concerns. Matters, especially the cluster under him, which are certain divisions, the same way that other directors report to me as regards the clusters under them. He does not report to me at all, Your Honor, for matters such as kung nasaan po iyong mga signature niya, disbursements or checks, he does not.

REP. FLORES. So...

MS. LOPEZ. In the same manner...May I...

REP. FLORES. Go ahead, please.

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MS. LOPEZ. Yes, if I may continue, the same with Ms. Acosta. Her designation is...her designation as SDO is a task on top of her task under the Office of the Chief of Staff. So, as...ang nire-report po sa akin ni Ms. Gina Acosta are tasks pertaining to her job and her function in the office of her Chief of Staff.

REP. FLORES. So, in other words po, while they are under you, there are certain things that they do not report directly to you, lalo na 'pag confidential funds ang pinag-uusapan?

MS. LOPEZ. Your Honor, I'm sorry, I did not catch the question. Very quickly lang. I'm sorry.

REP. FLORES. You said kanina na there are things that they do that they do not report to you about. And one of this is the use of the confidential funds.

MS. LOPEZ. I would assume, Your Honor, because nobody has really reported to me about that.

REP. FLORES. Ah, okay. So, let me...

MS. LOPEZ. Because the documents...

REP. FLORES. ...let me clarify that. So, you never knew that she was the SDO for the confidential funds? Hindi mo alam?

MS. LOPEZ. Hindi ko po alam, Your Honor, unless...until I saw the memo designating her as SDO. Because I was not the one who designated Ms. Gina.

REP. FLORES. O, kaya nga. So, as of December 2022, she was SDO already, correct? Hindi mo rin alam?

MS. LOPEZ. Yes, Your Honor, given the information in the DVs.

REP. FLORES. Yeah, the fact that the...there were already disbursements made in 2022 using the confidential fund.

MS. LOPEZ. Yes.

REP. FLORES. So, how about your Assistant Chief of Staff, Ortonio? Hindi mo rin alam that he was working with Acosta when it comes to the confidential funds?

MS. LOPEZ. I just know Mr. Ortonio to be one of the signatories of the checks, Your Honor, because these are the documents that we submit, kung sino-sino iyong...

REP. ACOP. Mr. Chair.

MS. LOPEZ. ...signatories.

REP. ACOP. Mr. Chairman.

THE CHAIRPERSON. Cong. Acop.

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REP. ACOP. I think the resource person is not asking appropriately the questions of the Hon. Keith Flores. May I request that the Honorable Flores repeats his question?

REP. FLORES. My question, Atty. Lopez, was that 'di ba...alam mo ba na si Atty. Ortonio was working with Acosta, the—what's that—SDO, when it comes to the use of the confidential funds?

MS. LOPEZ. Ang alam ko po, Your Honor, my personal knowledge, is si Mr. Ortonio signs of on checks.

REP. FLORES. Checks requested by Acosta?

MS. LOPEZ. Katulad po noong naipakita sa document kanina, siya...

REP. FLORES. Kaya nga. So, hindi mo alam kung sino'ng nag-request sa tseke na iyon? Just Ortonio?

MS. LOPEZ. That he signs of on the checks, Your Honor.

REP. FLORES. Kaya nga. I was asking, hindi mo alam kung sino'ng nag-request for the issuance of the check.

MS. LOPEZ. I'm sorry, Your Honor.

REP. FLORES. Is it a difficult question, Atty. Lopez?

MS. LOPEZ. Your Honor, my personal knowledge...

REP. FLORES. Kaya, I was just asking kung alam mo ba kung sino ang nag-request ng check na pinirmahan ni Ortonio?

MS. LOPEZ. Kung mayroon po siyang...iyong pinakita po kanina, Your Honor, kung iyan iyong kalakip, the DV, then kung taken together, iyon po sila iyong magkakasamang documents.

REP. FLORES. That's not the question...if alam mo. Iyon lang. alam mo ba kung sino'ng nagre-request for the issuance of these checks? I'm not asking kung kadikit ba iyong tseke at saka DV. I'm just asking...

MS. LOPEZ. Your Honor, Your Honor.

REP. FLORES. Sige po.

MS. LOPEZ. Mr. Chair. Mr. Chair, if I may answer. As...

THE CHAIRPERSON. Please proceed.

MS. LOPEZ. Yes. As mentioned earlier, Your Honor, these disbursement vouchers, these checks, do not go through my office. So, I really have no personal knowledge kung sino iyong nag-request ng check...

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MS. LOPEZ. (Continuing)...nag-request ng check.

REP. FLORES. All you... You can say "No" naman, eh,...

MS. LOPEZ. Ay, sorry.

REP. FLORES. ...tapos na tayo. Then we move on.

MS. LOPEZ. I'm sorry, I'm sorry. *(Laughs)*

REP. FLORES. It's okay, okay.

MS. LOPEZ. Well, respectfully, Your Honor. No, no, I have no knowledge.

REP. FLORES. Yeah. Hindi mo alam. Okay.

So, these are things that happens within your office involving two of your... the next most senior officer of your office and another one and yet you have no knowledge of.

MS. LOPEZ. Yes, Your Honor. I have no personal knowledge.

REP. FLORES. In the... I hope you understand, Attorney Lopez, ha, parang... parang it's kinda hard to... to believe po na... siguro it's possible, it's possible that it's happening that way, 'no, na iyon ang arrangement ninyo, na every other thing ako, huwag lang itong confidential fund or other matters na... na ano. So, that... that's... is that how it is arranged?

MS. LOPEZ. That is how it is, Your Honor, in the Office of the Vice President.

REP. FLORES. Kahit na tao mo, they do things on their own as far as it is not concerning the other things that you should know of?

MS. LOPEZ. Yes, outside of the Office of the Chief of Staff na tasks.

REP. FLORES. Outside of the Office of the Chief of Staff na tasks, yet it is Assistant Chief of Staff who performs this task.

MS. LOPEZ. Your Honor, my Assistant Chief of Staff is not... although we work together, he does not report directly to me on all matters.

REP. FLORES. Ah, this matter...

MS. LOPEZ. There are certain matters that I am not privy to...

REP. FLORES. Okay.

MS. LOPEZ. ...or there are certain matters also with the Office Chief of Staff that he is not part of.

REP. FLORES. Even if he is Assistant Chief, 'di ba, puwede din, 'no?

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MS. LOPEZ. Yes.

REP. FLORES. Let's say... klaruhin ko lang, ha. So, in this particular matter, confidential funds—Acosta, Ortonio—not through you and you have no idea what happens or where it goes through and presumably it goes directly to the Vice President kasi there has to be someone who approves it, eh.

MS. LOPEZ. I would not... I cannot presume, Your Honor. I cannot give you a direct answer because wala po akong firsthand info.

REP. FLORES. Okay. Let... Let me put it differently. Who is the other officer other than you who is higher than Ortonio...that Ortonio reports to?

MS. LOPEZ. The head of our agency, Your Honor...

REP. FLORES. And that is?

MS. LOPEZ. Ah, the Vice President.

REP. FLORES. Okay. So, it would be safe to presume that since Ortonio is doing this on his own, without your participation, and Acosta is reporting to Ortonio, it is safe to presume that it's Ortonio who is also reporting directly to the Vice President, kasi wala nang iba, eh. He cannot go down. He can only go up. Tama ba?

MS. LOPEZ. Your Honor, I cannot give a direct answer because I really have no personal knowledge.

REP. FLORES. I understand that you have no personal knowledge, but tama po bang to conclude na iyon na... kasi imposib... I wouldn't imagine na your Assistant Chief of Staff would be acting on his own, eh. It has to be approved by someone, and it cannot be approved by someone who occupies a position lower than his. That would be ridiculous, it goes back. It has to go up.

Now, tinanong kita kanina, other than you who is the other officer na mas mataas sa iyo na Ortonio reports to? And you said that that is the...the head of office, which is the Vice President. And I'm telling you, is it safe to presume that Ortonio reports to the Vice President when it comes to the usage of the confidential funds, you say you have no knowledge, so you cannot make that presumption. Would that be a correct generalization ba of what our conversa... our question and answer...

MS. LOPEZ. Yes, Sir, the gist...

REP. FLORES. Yeah.

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MS. LOPEZ. ...of it.

REP. FLORES. Yeah, that.

MS. LOPEZ. I cannot make the...

REP. FLORES. Yes.

MS. LOPEZ. ...presumption.

REP. FLORES. Okay. So, now, ano na lang, ha, it would be best... could you, as Chief of Staff na lang, Attorney Lopez, undertake to ensure the presence of the SDOs that... kasi they... they should be here, eh. Kasi ang questions naman are... mostly dir... supposedly directed to them, eh.

MS. LOPEZ. Your Honor, this is in reference to your earlier instruction and request, 'no...

REP. FLORES. Yes, please.

MS. LOPEZ. ...that we reach out to Ms. Acosta. I have, Your Honor. I texted and I tried calling her but it is... she has not responded. I have done as instructed.

REP. FLORES. How about Ortonio, did you try to get in touch with your Assistant?

MS. LOPEZ. Yes, Your Honor. But he... I texted him that, "The HOR Committee Members want to talk to you...

REP. FLORES. No reply?

MS. LOPEZ. ...Please reply." And, ah...

REP. FLORES. No reply?

MS. LOPEZ. None, Your Honor.

REP. FLORES. For someone who's running a tight ship, it's kinda difficult to imagine an underling not replying to the messages of the head of office. I... I can't imagine it happening that way. It would...It wouldn't happen under normal circumstances po. That would be, not only disrespectful, but it would...

MS. LOPEZ. But it is what it is, Your Honor, respectfully.

REP. FLORES. That... That's what happened as...

MS. LOPEZ. This is no... There is no answer.

REP. FLORES. Yeah, I... You don't need to show me. *(Laughs)* I'll take your word for it, Attorney. I'm just saying na medyo strange na iyong mga taong

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nagtatrabaho under you refuses to reply, refuses to inform you, refuses to make known their whereabouts. Parang medyo mahirap po paniwalaan.

Now, Ms. Rabago, earlier, a lawyer entered his appearance claiming that they were engaged in your... by... in their... you engaged them in their personal capa... in your personal capacity?

MS. MA. EDELYN A. RABAGO (Officer-In-Charge, Budget Division, Office of the Vice President). Yes, Your Honor.

REP. FLORES. And how much was the engagement fee?

MS. RABAGO. I don't have any personal knowledge on the...

REP. FLORES. You don't have any personal knowledge.

MS. RABAGO. Yes.

REP. FLORES. How about you, Mr. Teñido?

MR. TEÑIDO. Same, Mr. Chair, ah, we consulted our Legal to...

REP. FLORES. You consulted your Legal?

MR. TEÑIDO. ...have a counsel.

REP. FLORES. But an engagement with a lawyer naturally comes with a consideration.

MR. TEÑIDO. Actually, it was a referral.

REP. FLORES. A referral.

MR. TEÑIDO. So, we were... we were made... referred to the, ah, counsel of our...

REP. FLORES. So, you're expecting to be billed for the services this counsel?

MR. TEÑIDO. There's no discussion as to the...

REP. FLORES. Oh, no discussion. So, how could a lawyer represent one when there is no engagement fee? Would that be possible? I saw him the last time also.

MR. TEÑIDO. Yes. Mr. Chair, but, as of this moment, there was no discussion yet.

REP. FLORES. So, it is the office that provided these lawyers to you?

MR. TEÑIDO. No, Sir. Because...

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REP. FLORES. No.

MR. TEÑIDO. ...that is not allowed under the rules.

REP. FLORES. It's not allowed. So, you personally chose this lawyer?

MR. TEÑIDO. We were referred, Sir.

REP. FLORES. You were referred. You personally talked to this lawyer before coming over.

MR. TEÑIDO. Yes, Sir. Yes. Mr. Chair.

REP. FLORES. And there was no talk about engagement fee ba or...

MR. TEÑIDO. None, as of the moment, Mr. Chair.

REP. FLORES. None, as of the moment. Representing you for two days na, yet walang bayad... wala pang usapan about bayad.

MR. TEÑIDO. That... That's correct, Mr. Chair.

REP. FLORES. That's correct. Oh, very generous lawyers, 'no. *(Laughs)* But it was referred by your?

MR. TEÑIDO. By our Legal Department.

REP. FLORES. Legal, okay.

Same with you, Ms. Villadelrey?

MS. VILLADELREY. Yes, Your Honor.

REP. FLORES. You also have a personal lawyer present?

MS. VILLADELREY. Yes po.

REP. FLORES. But no engagement din. Wala pang bayad.

MS. VILLADELREY. Wala pa pong bayad with engagement.

REP. FLORES. Wala pa ring usapan as to how much per hour, per day...

MS. VILLADELREY. None yet.

REP. FLORES. ...or kahit man lang acceptance fee to represent you?

MS. VILLADELREY. Wala pa po.

REP. FLORES. Wala pa. And you expect it to happen anytime soon?

MS. VILLADELREY. I think so, Sir.

REP. FLORES. You will be billed.

MS. VILLADELREY. Yes, Sir.

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REP. FLORES. Okay. Will you be willing to inform this Committee as to when you will be billed? Kasi parang it's impossible to think na lawyers would represent anyone for free, eh, 'di ba? It has to be for a certain fee, right? And if you are saying na kayo ang nag-engage, kasi bawal nga ang office na mag-engage ng personal lawyers for you, guys, yet none of you have talked to them about fees, correct?

Would you also confirm that, Attorney Sanchez?

MS. SANCHEZ. Yes. Mr. Chair.

REP. FLORES. Wala pang usapan sa fees?

MS. SANCHEZ. In the engagement letter, there's no mention of the fees.

REP. FLORES. There's no mention.

MS. SANCHEZ. Yes.

REP. FLORES. So, you just signed that I'm engaging you as my lawyer without knowing how much you would be billing me.

MS. SANCHEZ. Since there's no amount, Mr. Chair, that was mentioned in the engagement letter, I assumed, Mr. Chair, that there will be no fees.

REP. FLORES. You assumed that there will be no fees. So, it will be free legal representation.

MS. SANCHEZ. Because the lawyer did not discuss the fees.

REP. FLORES. Because it was not discussed in the engagement letter.

Same with you, Ms. Villadelrey?

MS. VILLADELREY. Yes, Your Honor.

REP. FLORES. Are you also assuming that it will be free? I suppose.

MS. VILLADELREY. I hope so, Sir.

REP. FLORES. Ah, you hope so. *(Laughs)*

How about you, Mr. Teñido?

MR. TEÑIDO. Same, Sir. I hope so, Sir.

REP. FLORES. You're hoping that it's gonna be free.

MR. TEÑIDO. *Pro bono.*

REP. FLORES. Again, with you, Ms. Rabago...

(MR. REYNALDO T. SANTOS, JR. TOOK OVER)

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REP. FLORES. (Continuing)...Ms. Rabago.

MS. RABAGO. Yes, Mr. Chair, the same.

REP. FLORES. Paano kung hindi free iyan? Eh, hindi mo naman of choice iyong lawyer, being ni-refer lang sa iyo? Paano iyan? Eh, paano kung the billing is too much, eh, gusto mong lesser sana? Paano iyan? I mean, wouldn't that thing come to mind when engaging a lawyer? Not just pure, siguro, hoping na it's gonna be free. Tama ho ba? That's... Most people, ha, most ordinary people would... the first thing that would come to mind is magkano kaya ang ibi-bill nito or magkano kaya ang acceptance fee or what is the hourly rate for representing us? Ilang oras na tayo dito ngayon, 'di ba? So, it's not the office that's paying for it. It's not someone we all know.

Thank you. Thank you. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

Eh, sa itsura po ng mga lawyer nila, mukhang mahal, eh. *(Laughs)*

Yes. The Chair would like to recognize the next interpellator, the Honorable Jil Bongalon.

REP. BONGALON. Thank you, Mr. Chair.

Mr. Chair, I would like to direct my questions to the... to Attorney Camora of the Commission on Audit. And I would like to request also the Secretariat to flash on the screen the copy or copies of the acknowledgment receipt to start with my questions. *(Copies of the acknowledgment receipts were flashed on the screen)*

Ms. Camora, iyong nakikita po natin dito sa screen ay dalawang acknowledgement receipts, ano po? So, puwede mo bang banggitin dito sa unang acknowledgment receipt kung anong petsa ang nakalagay dito na kung saan ito po ay ina-acknowledge iyong nakatanggap ng nagkakahalagang 150,000 for the payment of reward, open and close parenthesis, medicines. Ano'ng petsa po iyong nakalagay diyan?

MS. CAMORA. Mr. Chair, hindi ko masyadong mabasa. Para siyang... hindi ko sure kung November or December 17, 2022.

REP. BONGALON. So, hindi mo... Puwede ba... Secretariat, puwede ba i-zoom natin itong unang acknowledgment receipt? Ayan. So, I guess it starts with the letter "N."

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MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. And ends with the letter "R."

MS. CAMORA. "R", opo.

REP. BONGALON. So, probably, what month is that?

MS. CAMORA. It's probably November...

REP. BONGALON. November.

MS. CAMORA. ...27.

REP. BONGALON. November...

MS. CAMORA. November 27, 2022.

REP. BONGALON. November 27, 2022. So, let's move on on the next acknowledgment receipt. Ito naman ay nagsasabi that this is to acknowledge receipt of the amount of 155,000 pesos for the payment of purchased supplies. Puwede mo bang banggitin sa Komiteng ito anong petsa ang nakalagay diyan sa acknowledgment receipt?

MS. CAMORA. 12 December '22.

REP. BONGALON. 12 December '22. So, it presupposes that this is December 12 of 2022, year 2022, tama?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. Ngayon, puwede mo bang banggitin muli dito sa Komiteng ito, ano po ang period covered ng mga Confidential Funds na ni-release sa Office of the Vice President?

MS. CAMORA. Iyong sa fourth quarter ng 2022 po.

REP. BONGALON. Fourth quarter of 2022 na kung saan ano po iyong mga petsa ng utilization ng Confidential Funds?

MS. CAMORA. December 21 to 31, 2022 po.

REP. BONGALON. At iyong mga ibang petsa na sumunod dito sa Confidential Funds that was released on the last quarter of year 2022.

MS. CAMORA. That's it po, December 21 to 31, 2022.

REP. BONGALON. Yes. Ano pa iyong mga sumunod na petsa after year 2022?

MS. CAMORA. Ah, Iyong 2023 po?

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REP. BONGALON. Yes.

MS. CAMORA. February 6 to March 29, that is for the first quarter, and April 25 to June 30 for the second quarter. Tapos, July 14 to September 13 ang third quarter.

REP. BONGALON. So, malinaw, Mr. Chair, na ang pinakaunang Confidential Funds na ni-release sa Office of the Vice President ay may petsa na December 20 of 2022, tama ba?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. And, ibig sabihin, walang Confidential Funds ang Office of the Vice President sa petsa na Nobyembre bente siete, taong 2022, tama po ba iyon?

MS. CAMORA. Wala pa po, Mr. Chair.

REP. BONGALON. Wala pa. Pati na rin doon sa petsa na December 12 of 2022, tama ba?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. So, ibig sabihin nito, Attorney Camora, imposible na ang nakasulat diyan sa dalawang acknowledgment receipt na may ibinigay raw ang Office of the Vice President galing sa Confidential Funds noong November 27 at December 12 of 2022, hindi ho ba?

MS. CAMORA. Kung galing po sa na-cash advance, hindi po iyan galing sa cash na advanced noong December 21 po.

REP. BONGALON. Twenty.

MS. CAMORA. Twenty...

REP. BONGALON. Twenty-one. Okay. So, imposible, 'no, na...

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. ...iyong tseke dated December 20, 2022 at na-encash nang December 21, at iyong utilization, in fact, December 21 to December 31, so imposible na mayroon tayong acknowledgment receipt na ang petsa ay November 27 at December 12 of 2022?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. So, kung... nandito ka po ba noong last November 5, 2024 hearing?

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MS. CAMORA. Opo yata, Mr. Chair.

REP. BONGALON. Yes. And, in fact, you were...

MS. CAMORA. Before this...

REP. BONGALON. Yes, before this...

MS. CAMORA. Ay, before last hearing po with the people po from the OVP.

REP. BONGALON. All right. So, noong nakaraang November 5, 2024 hearing, na-establish na iyong mga acknowledgment receipts na dated 2023 pero sinabmit *(submit)* para sa December 2022, natatandaan mo ba iyon?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. And kung alam po ninyo, ilan ang mga acknowledgment receipts na dated 2023 na sinabmit para sa Confidential Funds for the last quarter of 2022?

MS. CAMORA. Hindi ko na maalala, Mr. Chair, kasi kayo po yata iyong nagbigay ng data.

REP. BONGALON. Actually, it was not me. Actually, if I'm not mistaken, it was...

MS. CAMORA. I mean, the Committee po.

REP. BONGALON. ...the Honorable Rodge Gutierrez.

MS. CAMORA. Opo, opo.

REP. BONGALON. So, around 150 plus acknowledgment receipts, hindi ho ba, kung matatandaan ho ninyo?

MS. CAMORA. One hundred fifty-three.

REP. BONGALON. One hundred fifty plus...

MS. CAMORA. Opo.

REP. BONGALON. ...acknowledgment receipts.

MS. CAMORA. Parang 153 or 158.

REP. BONGALON. Fifty-eight to be exact. Can you please confirm with your records kung ilan po na acknowledgment receipts.

MS. CAMORA. One hundred fifty-eight po.

REP. BONGALON. One hundred fifty-eight to be exact, correct?

MS. CAMORA. Opo.

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REP. BONGALON. So, in other words, ito pong mga acknowledgment receipts are another example of ARs na in-issue outside of the period covered by Confidential Funds, tama ba?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. Again, ano ho ba ang mali dito, iyong mga acknowledgment receipts or iyong source of fund?

MS. CAMORA. Iyong acknowledgment receipt po.

REP. BONGALON. Iyon acknowledgment receipts bearing those dates that will not conform with the period that was covered by the Confidential Funds, correct?

MS. CAMORA. Tama po, Mr. Chair.

REP. BONGALON. So, sa palagay po ba ninyo, Attorney Camora, maaari ba nating sabihin na ito pong 158 na mga acknowledgment receipts, sa tingin ninyo po ba ito ay due to typographical error?

MS. CAMORA. Mr. Chair, ang ibinigay nila pong dahilan sa compliance nila is inadvertence po.

REP. BONGALON. Inadvertence, meaning, puwedeng isa sa mga rason...

MS. CAMORA. Nagkamali. Opo, nagkamali.

REP. BONGALON. ...ay due to typographical errors, tama?

MS. CAMORA. Yes, Mr. Chair. Yes, Mr. Chair.

REP. BONGALON. Ngayon, after the acknowledgment receipts with questionable 2023 dates na na-brought up last hearing, can you please confirm if they were part of the Notice of Disallowance...

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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REP. BONGALON. (Continuing)...Notice of Disallowance for the amount of 73.28 million.

MS. CAMORA. Mr. Chair, parang hindi na po siya umabot sa Notice of Disallowance, parang nasa Notice of Suspension po siya.

REP. BONGALON. But they are part of that Notice of Suspension?

MS. CAMORA. Mayroon po yata kaming observation na ganoon, Sir.

REP. BONGALON. So, ibig sabihin, can we state that due to the questionable acknowledgment receipts that was discovered last hearing, it appears that there *should be additional 17.6 million that should be disallowed. Anyway, these are* matters left for the Commission on Audit to look into. Tama ho?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. Would you like to enlighten us about this issue? Do you have something in your hand?

MS. CAMORA. Mayroon po kasi iyong mga...iyong mga pinoynt *(point)* out na...kasi may mga na-disallow na po kami and then may mga na-point out during the hearing na questionable acknowledgment receipts. So, tiningnan po namin kung ano *itong mga ito, kung nakasama na ba siya sa disallowance or not. So, if hindi pa* nakasama sa disallowance, puwede pa pong mag-issue ng supplemental.

REP. BONGALON. All right. Anyway, Mr. Chair, I would like to manifest that of the total amount covered by those acknowledgment receipts with questionable dates, which is totaling of 26.32 million, there's an overlap with the acknowledgment receipts disallowed under the Notice of Disallowance. So, may mga natitira pa po na 17.6 million which does not overlap and, in fact, this is the additional amount which should be disallowed by COA. Tama ho ba?

MS. CAMORA. Yes, Mr. Chair.

REP. BONGALON. And with that, Mr. Chair, I would like to end my questions by moving that that these questionable, dubious, spurious acknowledgment receipts be referred to the Philippine Statistics Authority to verify if the names enumerated therein really exist. I so move, Mr. Chair.

Just to repeat my motion, Mr. Chair, I would like to move that these dubious, spurious, and highly irregular acknowledgment receipts be referred to the Philippines Statistics Authority or the PSA to verify the names enumerated therein if these persons really exist. I so move, Mr. Chair.

REP. PADUANO. Second.

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THE CHAIRPERSON. There's a motion to refer the dubious acknowledgment receipts to the PSA. Is there any second to the motion?

REP. ADIONG. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. BONGALON. Secondly, Mr. Chair, I would like to move also that the acknowledgment receipts be referred to the National Bureau of Investigation and the Philippine National Police for them to assist us in conducting a handwriting or signature examinations to verify whether the recipients of these confidential funds are real or not with Ms. Mary Grace Piattos as the first priority. I so move, Mr. Chair.

THE CHAIRPERSON. There's a motion to refer acknowledgment receipt to the National Bureau of Immigration...

REP. BONGALON. And PNP.

REP. SUAREZ. No, NBI, National Bureau of Investigation.

REP. BONGALON. Investigation.

THE CHAIRPERSON. National Bureau of Investigation. Is there any second to the motion?

REP. ACOP. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. BONGALON. That would be all, Mr. Chair. Thank you.

THE CHAIRPERSON. Thank you. The Chair would like to recognize the Honorable...

REP. PADUANO. Chairman, Chairman.

THE CHAIRPERSON. Yes, Congressman Paduano.

REP. PADUANO. Just a short ano, admin matters, Mr. Chairman. Previously...

THE CHAIRPERSON. But before I recognize Congressman Paduano, the Chair would like to recognize the Honorable Ernesto M. Dionisio, Jr. from the 1st District of Manila and Honorable Lianda Bolilia, Deputy Majority Leader from 4th District of Batangas.

Yes, the Chair would like to recognize Congressman Paduano.

REP. PADUANO. Thank you, Mr. Chairman. Admin matters lang po, Mr. Chairman.

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Mr. Chairman, previously, I moved to issue a subpoena *duces tecum* to the CCTV, video footages of the Land Bank, both branches. With that, Mr. Chairman, since the Land Bank explained to us that the existence of such video is only good for 90 days, that's why, Mr. Chairman, I move to withdraw such motion, Mr. Chairman.

Thank you, Mr. Chairman.

THE CHAIRPERSON. There's a motion to withdraw the previous motion of Congressman Paduano. Is there any objection? Hearing none, the motion is carried.

Next, the Chair would like to recognize the next interpellator, the Honorable Romy Acop.

THE CHAIRPERSON. With the indulgence of Congressman Romy Acop, the Chair would like to recognize Congressman Zia Alonto Adiong.

REP. ADIONG. Thank you, thank you, Mr. Chair.

THE CHAIRPERSON. Yes.

REP. ADIONG. Thank you, Chairman Acop.

Mine is just procedural/iyong admin processes po within the Office of the Vice President because as I was listening to the explanation of Atty. Lopez, *compartmentalized daw iyong kanilang trabaho. Thus, may mga disconnect and,* probably, miscommunication at hindi pagkakaintindihan that's why we have trouble understanding really what's going on in terms of the utilization of the confidential funds. And I'd like to direct my question, Mr. Chair, to Mr. Teñido.

Mr. Teñido, you are the head of the Administrative...Chief of the Administrative Officer po kayo, 'no, Bureau...sa ano na, sa Budget Division, hindi ho ba?

MR. TEÑIDO. That's correct, Mr. Chair.

REP. ADIONG. *And you were here last Committee hearing.*

MR. TEÑIDO. Yes, Mr. Chair.

REP. ADIONG. And you are also in charge of not only...even the regular funds, 'no.

MR. TEÑIDO. Yes, Mr. Chair.

REP. ADIONG. You said earlier...iyong regular funds ba at saka iyong confidential funds, you also prepare for that?

MR. TEÑIDO. During budget proposal, yes, Mr. Chair.

REP. ADIONG. *So, you know which one is the regular funds and which one is* the confidential funds.

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MR. TEÑIDO. Actually, in my understanding, Sir, both the confidential expense is within the budget of the OVP. So, I see it as there is no distinction between regular fund and confidential fund.

REP. ADIONG. Yeah. Because there's a letter signed by the Vice President naming you as the parang the contact person on matters relating to fundings, 'no.

MR. TEÑIDO. Yes, Mr. Chair.

REP. ADIONG. Hindi lang doon sa confidential funds but even the regular funds, 'no.

MR. TEÑIDO. Yes, *Mr. Chair.*

REP. ADIONG. Okay. So, you were here last hearing, is it correct?

MR. TEÑIDO. Correct, Mr. Chair.

REP. ADIONG. And that you mentioned when you were asked that you were requested to request DBM for the release of the confidential funds?

MR. TEÑIDO. I prepared the drafts, Mr. Chair, of the four items to be requested.

REP. ADIONG. And who requested you to prepare for the draft of the...*request for the release of the confidential funds?*

MR. TEÑIDO. I got the instruction from the management, Mr. Chair.

REP. ADIONG. Can you be more specific?

MR. TEÑIDO. The Office of the Chief of Staff and the Assistant Chief of Staff.

REP. ADIONG. Which...you mean to say, the Office of Atty. Lopez?

MR. TEÑIDO. Yes. That's correct, Mr. Chair.

REP. ADIONG. So, who instructed you to prepare for the...for the—what do you call that?—for the plan? Is that part of the physical plan na sinasabi nila that you need to...

MR. TEÑIDO. The physical and financial plan.

REP. ADIONG. Yes, yes. Who instructed you to prepare for that? Which specific person kasi hindi...medyo malabo po iyong...kanina iyong kuwento. Which specific person under the Office of the Chief of Staff instructed you to prepare for the request of the confidential funds to be released?

MR. TEÑIDO. The instruction was from the Office of the Chief of Staff...

REP. ADIONG. I know, I know, I know. But which specific person?

MR. TEÑIDO. COS, Atty. Lopez.

REP. ADIONG. Atty. Lopez instructed you to prepare for the release...request for the release of the confidential funds.

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MR. TEÑIDO. Just the request at that time, Sir, the request.

REP. ADIONG. Siya ang nagsabi sa iyo exactly.

MR. TEÑIDO. Including all other items, Mr. Chair.

REP. ADIONG. What other items?

MR. TEÑIDO. The augmentation for the...or the additional funds for the medical assistance and then for the additional personnel, Sir, PS plantilla.

REP. ADIONG. Yeah. But these are the regular funds, right?

MR. TEÑIDO. Yes. Yes, Mr. Chair.

REP. ADIONG. Okay. May I ask, Atty. Lopez, Ma'am, by the way, thank you very much for attending this Committee hearing, ha, and I hope whoever is your relative in the United States, I hope that person recovers soon, 'no.

I'd like to ask you...

MS. LOPEZ. Thank you.

REP. ADIONG. ...have you...narinig ninyo naman po iyong sinabi ni Mr. Teñido, 'no, na you...coming from you, instructed him to prepare for the request so that the confidential funds would be released, 'no. Is it...is that correct? Did I hear him correctly? Did you do that?

MS. LOPEZ. I confirm that, Your Honor. It was actually...the output is a letter addressed to the Secretary of the Department of Budget and Management. It was a request we made...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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MS. LOPEZ. (Continuing)...we made that was actually approved and recommended...that was given recommended approval by the DBM and was released by the Office of the President...

REP. ADIONG. So, you instructed him, just to be ano, sinabihan ninyo po siya na gumawa na po siya, mag-prepare po siya...

MS. LOPEZ. Yes.

REP. ADIONG. ...kung ano man iyong ipre-prepare niyang dokumento para i-request po sa Department of Budget and Management na ma-release po iyong confidential funds. Tama po ba iyon?

MS. LOPEZ. Ah, hindi po ma-release, Your Honor, mag-request...

REP. ADIONG. Yes, mag-request.

MS. LOPEZ. ...among other things.

REP. ADIONG. Yes, mag-request. And then, for the request for the release of the confidential funds. Is it correct?

MS. LOPEZ. Not release, Your Honor. Our request...

REP. ADIONG. Yes.

MS. LOPEZ. ...is only for...request for that budget alongside with all the other items that was mentioned...

REP. ADIONG. Exactly, among others, 'di ba? Tama po ba iyon? Tama ho iyon?

MS. LOPEZ. Request po, Your Honor. It could either be disapproved or approved...

REP. ADIONG. Yeah, I know.

MS. LOPEZ. ...when we requested.

REP. ADIONG. Yeah, but that's beside the point. The point is that...Kasi kanina po gusto kong intindihin because you said earlier po, Atty. Lopez, if I heard you correctly, you have nothing to do with confidential funds. So, I presumed, wala talaga kasi there's a specific person tasked to do the request, you know, for the planning, *et cetera*, and that's why I asked Mr. Teñido, sino iyong kino-contact ninyo when it comes to the request ng DBM? Kasi ang sinabi po dito sa letter is kay Mr. Teñido iyong magiging point person po ng DBM...

MS. LOPEZ. Contact person.

REP. ADIONG. ...contact person, hindi ho ba?

So, that's why I'm asking now Mr. Teñido because I want to compartmentalize, as you said, 'no. But now the answer is that you, under the Office of the Chief of Staff,

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instructed him to contact DBM, 'no, among other things, for the release of the confidential funds.

So, are you now saying na...still maintain your position that you have nothing to do whatsoever with the confidential funds?

MS. LOPEZ. Your Honor, Mr. Chair.

REP. ADIONG. Gusto ko lang po maintindihan, ha, Atty. Lopez.

MS. LOPEZ. Oo. As mentioned earlier by the...by Mr. Teñido, it forms part of the budget. So, it is...And because it is part of the budget of the Office of the Vice President and as the Usec and Chief of Staff, I signed off and made that instruction, Your Honor.

REP. ADIONG. Yeah. But can you help me understand, in what...in which parameters should we say that you were no longer part of anything about confidential funds? Kasi gusto ko lang pong maintindihan iyon because the way I understood it based on the questions kanina is you have nothing to do with the confidential funds. And you cannot speak anything about confidential funds. You are not competent enough to this...to answer any questions in relation to confidential funds. And yet sa iyo po nanggagaling iyong instruction pagdating po doon sa pag-contact ni Mr. Teñido sa DBM, among other things, not just the regular funding, but even confidential fund. Can you further explain it to me, Mr. Chair.

MS. LOPEZ. Okay. Your Honor, Mr. Chair, there...as I...as mentioned earlier, compartmentalized. I am not privy to the disbursement, utilization, and the liquidation of the confidential funds. But as it is, as it forms part of the budget in which legitimate budget request, I was part of that request, Your Honor.

REP. ADIONG. Mr. Teñido, gusto lang kitang matanong. Who do you coordinate, for example, in terms of the utilization of the regular funds, for example?

MR. TEÑIDO. Ah, the utilization?

REP. ADIONG. Oo. Yeah. Do you...

MR. TEÑIDO. Usually, Sir, the...

REP. ADIONG. Yes, please.

MR. TEÑIDO. Usually, the process po is the...what we do is to obligate the transaction.

REP. ADIONG. Okay.

MR. TEÑIDO. So, when we do the obligation, doon po namin nalalaman kung cash advance ba iyan, reimbursement, or payment dahil may purchase order. So, that

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is the time that when we...capture na po iyong transaction, and then we will record it na po...

REP. ADIONG. So, which...

MR. TEÑIDO. ...as part of the transaction.

REP. ADIONG. ...office in your department do you closely coordinate when it comes to this utilization, disbursement, *et cetera?*

MR. TEÑIDO. Actually, Sir, lahat kasi lahat naman po ng offices may transaction.

REP. ADIONG. Okay. Let me be more specific. Which particular head of division office do you coordinate? Regular funds lang ito, ha.

MR. TEÑIDO. Yes po.

For example, Sir, for the medical assistance, I closely coordinate with the head of the Public Assistance Division. That is for the medical and burial assistance. And then, for the...like PagbaBAGo bags, that is under the...care of the Special Projects Division. And then for the relief items or relief goods, I coordinate or I inquire always with the Disaster Operation Center.

REP. ADIONG. Does the Office of the Chief of Staff do have a say on this?

MR. TEÑIDO. During the process of procurement, there's none, Sir.

REP. ADIONG. Okay. Now, what about the confidential funds? Which specific person or head of your agency do you report to or coordinate?

MR. TEÑIDO. As to the confidential fund, Sir, I received the obligation from the Office of the Vice President because Office of the Vice...of the VP proper because she signs the documents, Sir, as the head of the agency.

REP. ADIONG. So, there's no middleman, for example? Or there's no person tasked to coordinate with you? It's directly to the Office of the Vice President herself?

MR. TEÑIDO. Ah, there are, ano, po, Sir, there are admin clerks that responsible for the routing or transmittal of documents.

REP. ADIONG. I know. But, I'm... I think you know what where I'm driving at, 'no. Sino iyong in charge? Kasi we want to understand, eh. Kung sino ba talaga iyong in charge doon kasi, according to Atty. Lopez, she has nothing to do with the utilization and everything in relation to...iyong confidential fund. Huwag muna...Huwag natin sabihin na walang may alam, not even the...

MR. TEÑIDO. It's from the Office of VP, Sir.

REP. ADIONG. Yeah. But which particular person are we talking here?

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MR. TEÑIDO. Well, under the Office of the VP, there are the Office of the Chief of Staff and then the office of Ms. Gina Acosta.

REP. ADIONG. Ms. Gina. So, who...between...sino ba talaga ang specific na person? Do you report or do you coordinate with Ms. Acosta or do you talk with Atty. Lopez? I'm talking now not only the request, ha, but the actual releases and the obligations.

MR. TEÑIDO. It would be reasonable to say that is from the office of Gina Acosta because she is the Special Disbursing Officer.

REP. ADIONG. Okay. Thank you.

Now, I'd like to go back, Mr. Chair, to Atty. Lopez po.

Attorney, kanina po na-bring up po iyong issue noong sulat ninyo. Opo. Na-bring up kanina po ni Deputy Speaker Jay-Jay Suarez. And, basically, marami pong rason na na-cite po dito sa sulat na ito, 'no, asking COA to comply. And you have stated several reasons why COA should not comply with the subpoena request, subpoena *duces tecum* by the House, 'no, by this...by the Committee.

Among those reasons, Mr. Chair, is that you explicitly said in the letter, among other things, that there is no congressional power to expose...for the sake of exposure.

I underlined that because I want you to...I want to ask you, Mr. Chair, since not...since you're here, Mr. Chair, I assume that everything, all every word, every sentence, every paragraph, every phrase, reflected in this letter, you believe with conviction that COA should not comply with the request or the subpoena powers of the House of Representatives.

I'm just curious, Atty. Lopez, since you are already here, and early, I thank you for your attend...for your presence. Do you still maintain this position, Mr. Chair, Atty. Lopez? Do you still maintain the position that COA should not comply with the request of the House of Representatives and the subpoena order by this Committee to acquire certain documents from the Commission on Appoint...Audit?

MS. LOPEZ. Yes. Your Honor, Mr. Chair, the position of the Office of the Vice President when we wrote that letter was to request COA to not yet give the said documents because there is an audit investigation ongoing. We feel that...we, at the Office of the Vice President, feel that it is yet too early to release documents because nothing has been made final. That was really the purpose of that request, Your Honor.

REP. ADIONG. So, you do...But my question is, do you still stick to your position? All the reasons and the arguments you have stated here cited, you know,

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some I guess you have cited the legal basis for COA not to comply. Do you still maintain that?

MS. LOPEZ. Yes, Your Honor. We stand by it. Actually...

REP. ADIONG. You stand by it still up to now?

MS. LOPEZ. Yes.

REP. ADIONG. So, you mean to say, here, you mentioned, and I guess this is...I guess, para po sa akin, ito po iyong position ninyo. The subpoena was not issued in aid of legislation and thus exceeds the legislative power of inquiry.

Are you aware, Mr. Chair, Atty. Lopez, since you are a lawyer...

(MS. JOAN E. GRUTA TOOK OVER)

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REP. ADIONG. (Continuing)...lawyer, that the Constitution grants the House of Representatives, the Congress for that matter, both the Lower House and the Senate, the power to exercise not only to create laws or introduce laws, but to exercise oversight functions. Meaning, to hold inquiry in aid of legislation, Mr. Chair? Are you aware of that and do you believe that? That that's an exclusive power that is exercised by Congress?

MS. LOPEZ. We respect that, actually, Your Honor. We recognize. As I mentioned earlier when this was asked, this letter, by no means, seeks to undermine the power of Congress to... to investigate.... conduct inquiries in aid of legislation. But we feel that at that time, on the end of the Office of the Vice President, because there's still an ongoing audit investigation, we feel that it was not the right time to present or release such documents because nothing is yet final. That is our position. But it does not, Your Honor, Mr. Chair, seek to undermine the power of Congress. That is not the intention which is why we also recognize the power of the Commission on Audit on all things involving audits. So, we requested them, but it is still up, of course, to the Commission on Audit whether to grant our request or not. It was simply a statement of our position.

REP. ADIONG. I'm not... *(Clears throat)* Mr. Chair, I'm not here to challenge your personal belief on matters, but let... I'm just trying to test... because your assertion, one of your assertions here is that the subpoena was not issued in aid of legislation and thus exceeds the legislative power of inquiry.

Do you think this Committee is exceeding its power granted to it by the Constitution? That's one of your assertions. I'm just want... I don't wanna... I don't wanna challenge your position on this, I just want you to clarify to me.

MS. LOPEZ. Because early on, Your Honor, when the request was made, there was no pending legislation on this matter. There was no draft law or bill that was attached for that requested item to be released.

REP. ADIONG. Are you aware... Yes. Okay. Are you aware, Mr. Chair... Are you aware, Mr. Chair, that there are laws existing and there are laws that have to be amended, and that's one of the reasons why we are... we are holding or exercising,

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the House of Representatives, exercises its power. In fact, it's not just a power, it's an obligation. It's our responsibility to...

MS. LOPEZ. Your Honor...

REP. ADIONG. ...wait. Let me finish, Attorney. I'm sorry.

MS. LOPEZ. I'm sorry.

REP. ADIONG. I'm sorry. I'm pin... I am sorry po. To exercise its power... oversight power to review laws. The General Appropriations Bill or Act is a law. Everything that is specified under the GAA of 2022, 2023, and 2024, these are all laws. And what we are discussing here, Mr. Chair, are funds and budget given to each agency precisely because they are granted by the power and the effect of a law. That's why they are using these funds, 'no. And in particular, the Office of the Vice President, the use of the Confidential Funds. That Confidential Funds will not be available to the Office of the Vice President had Congress did not enact these laws.

So, I'm asking you again, do you still maintain your position that what we are doing here exceeds the power that is granted to us by the Constitution in the exercise of our oversight function?

MS. LOPEZ. Your Honor, I stand by the letter. That was position of the Office of the Vice President and as stated in our pos... in our position and in our letter to the Commission on Audit.

REP. ADIONG. Okay. So, do you still maintain your assertion that this inquiry that we are having right now exceeds the power that is granted to us by the Constitution? Do you still maintain that position?

MS. LOPEZ. Your Honor, I think I cannot answer that because that is really actually a le...

REP. ADIONG. But this is one of your assertions, Attorney Lopez...

MS. LOPEZ. I know that is our assertion, Your Honor...

REP. ADIONG. What do you mean...

MS. LOPEZ. ...But that is a legal issue as to whether you have... the Congress has the power or not. But our position, Your Honor, as we have stated from the very beginning, is that we feel that, because there is still an ongoing audit and nothing is final, we feel that it would be too early to release such information on the end of the

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Commission on Audit. That is basically what we are trying to request from the Commission on Audit.

REP. ADIONG. When you say... When you say "our position", does that mean... who... who is... sino iyong "our"?

MS. LOPEZ. The position of the Office of the Vice President, Your Honor, which... the agency that is undergoing the audit investigation.

REP. ADIONG. Anyway, Mr. Chair, I will not... I will no longer labor on this issue. I just want to give time for Attorney Lopez to, maybe, enlighten us kung bakit, according to her, ay nag-e-exceed ang Committee na ito sa power na ginrant *(grant)* sa atin ng Constitution and yet sinasabi naman po niya na she's recognizing the power of the House to exercise iyong oversight function.

I just don't get any clear answers po. Pasensiya na po, Attorney Lopez, sa inyo. From the very start that we... that one of my colleagues here have started asking question, wala ho akong nakuhang klaro na sagot po sa inyo. Pasensiya na po, ganoon lang po interpretation ko sa lahat-lahat po ng naging kasagutan ninyo.

Thank you, Mr. Chair, and mara... thank you po, Attorney Lopez, for your candid answers.

THE CHAIRPERSON. Thank you.

MS. LOPEZ. Salamat, salamat.

REP. PADUANO. Chairman, Chairman, can I...

THE CHAIRPERSON. Yes, before I recognize Congressman Paduano, the Chair would like to recognize the Honorable Julienne "Jam" Baronda from the Lone District of Iloilo City, our Deputy Majority Leader.

Yes, the Chair would like to recognize Congressman Paduano.

REP. PADUANO. Thank you, Mr. Chairman.

Anyway, Attorney Lopez, just to inform you. Alam mo naman ito, eh, separation of powers, power of Congress for inquiry in aid of legislation, and the question of the subject matter with regards to COA in relation to... to the Confidential Funds. Sabi mo kasi hindi pa tapos. But just to inform you, there's a lot of investigation in my Committee and ordering COA to have a fraud audit...

MS. LOPEZ. Okay.

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REP. PADUANO. ...pending all those ano, all those COA audit report. That's why this Committee and this Congress has the power vested in us for inquiry in aid of legislation, especially in the case of the Confidential Fund in which that is a law from the GAA. Alam mo naman iyon, 'di ba?

MS. LOPEZ. Yes...

REP. PADUANO. Walang budget na Confidential Fund without the GAA. It is a law, tama?

MS. LOPEZ. Yes, Sir.

REP. PADUANO. Kaya nga po just to inform you na, in Congress... well, in fact, ang dami na po, special audit, fraud audit, ginagawa po ng COA iyan by the order of this Congress. I hope you... you... you get my point, Attorney.

MS. LOPEZ. Yes, I do, Congressman.

REP. PADUANO. Thank you, thank you, Mr. Chairman.

MS. LOPEZ. Salamat.

THE CHAIRPERSON. At this juncture, the Chair would like to recognize the next interpellator, the Honorable Jude Acidre.

REP. JUDE A. ACIDRE. Maraming salamat, Mr. Chair.

THE CHAIRPERSON. With the indulgence of Congressman Jude Acidre, the next interpellator is Congressman Romy Acop. Sorry.

REP. ACOP. Thank you, Mr. Chair.

My questions would have centered on the existence of satellite offices of the Office of the Vice President. Unfortunately, COA submitted the data, information regarding the satellite offices of the OVP just last night, tama po?

MR. FAJAD BIN ABDULMALIK N. TOMAWIS (State Auditor, Audit Team Leader, National Government Audit Sector, Cluster I, Executive Offices, Commission on Audit). Yes, Mr. Chair.

REP. ACOP. So, I did not have time to look into these documents kasi gabi na kayo nag-submit, eh.

Mr. Chair, be that as it may, I will not ask questions about that. But I would like to make first a manifestation. From the previous hearings, we have established two things as regards the documentary pieces of evidence of payments for Confidential

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Funds. Una, ang mga iregularidad sa mga impormasyong nakasaad sa mga acknowledgment receipts. At ikalawa, ang kakulangan sa mga kinakailangang impormasyon para matiyak kung tama ba ang paggamit ng Confidential Funds na ito.

Attorney Lopez, do you believe...

(MS. EMERITA E. AVILA TOOK OVER)

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REP. ACOP. (Continuing)...do you believe that public officers occupy a public trust?

MS. LOPEZ. Yes, Your Honor. That is enshrined in the Constitution.

REP. ACOP. Section 1, Article XI of the Constitution. Tama?

MS. LOPEZ. Yes.

REP. ACOP. Yes. Now, would you also agree with me that the impassivity of the public officers and employees to attend congressional inquiries of the House Committee on Good Government and Public Accountability gives rise to a betrayal of public trust, considering that they are avoiding public accountability through inquiry by duly elected representatives? Would you believe that? Yes or no? Yes or no?

MS. LOPEZ. Your Honor, may I be allowed to...

REP. ACOP. Yes or no? I'm asking if you believe it or not.

MS. LOPEZ. Your Honor...

REP. ACOP. You do not believe it?

MS. LOPEZ. No, in the sense that it is not a betrayal of public trust exactly, Your Honor, because the...the decision to attend the hearing, Your Honor, is a personal one.

REP. ACOP. No, because you are compelled if we issue a subpoena. It's not personal. Would you agree with that also?

MS. LOPEZ. Yes, Your Honor, because if it's a subpoena, it becomes coercive.

REP. ACOP. Yes.

MS. LOPEZ. But in the end, respectfully, if it is an invitation, there is also a right on the end of the invitee to decline.

REP. ACOP. I agree, but the end of that is that we can issue a subpoena...

MS. LOPEZ. Yes, that is right.

REP. ACOP. ...in order to force you to attend these hearings. Tama?

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. In that case, if you are forced to attend hearings and you do not attend, would that not also constitute a betrayal of public trust? Following your logic.

MS. LOPEZ. Your Honor...

REP. ACOP. Pakisagot lang po na yes or no. Iyong katanungan ka po, yes or no, eh. There's no need for any explanation, unless I ask for one.

MS. LOPEZ. It could be, Your Honor, yes.

REP. ACOP. Thank you.

Would you agree also with me that public officers must uphold public interest?

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MS. LOPEZ. Yes, Your Honor.

REP. ACOP. Yes. And part and parcel of the duties and responsibilities of public officers is to give due regard to the lawful processes of a co-equal branch of government.

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. Yes. And the impassivity of the public officers and employees to attend the congressional inquiries of the House Committee on Good Government and Public Accountability gives rise to a betrayal of public trust. Considering that their continued absence interferes with the actions and mandate of this Committee, just like your two people—the Special Disbursing Officer in the persons of Madam Gina Acosta and Madam Sunshine Fajarda. Would you agree with that also?

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. Thank you.

MS. LOPEZ. It is a possibility, yes.

REP. ACOP. And therefore, being the boss, you are also obliged to see to it that they perform this duty.

MS. LOPEZ. Yes, Your Honor, I hear that.

REP. ACOP. And therefore, we expect na pagsabihan mo sila...

MS. LOPEZ. Opo.

REP. ACOP. ...na um-attend dito sa hearing na ito as part of your duty.

MS. LOPEZ. Respectfully, Your Honor, that was my commitment earlier that I will endeavor to bring them to the next hearing.

REP. ACOP. Thank you.

And I think you will also believe that public officers are sworn to uphold the Constitution. Tama?

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. And public officers have sworn to uphold the Constitution and have violated their oath by preventing Congress from lawfully exercising its own mandate under Section 21, Article VI of the Constitution to conduct inquiries in aid of legislation. Would you agree with that also?

MS. LOPEZ. Sir, respectfully, may you please repeat that particular question lang, this one, and the...the phrase that you refer to?

REP. ACOP. Yes. Public officers are sworn to uphold the Constitution.

MS. LOPEZ. Yes.

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REP. ACOP. Yes. Public officers have sworn to uphold the Constitution and would have violated their oath by preventing Congress from lawfully exercising its mandate under Section 21, Article VI of the Constitution to conduct inquiries in aid of legislation.

MS. LOPEZ. Yes, Your Honor. If you...

REP. ACOP. Thank you.

MS. LOPEZ. Your Honor, may I seek to qualify my answer as regards the last question?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Okay, please.

REP. ACOP. Huwag sa akin, kay Mr. Chairman.

MS. LOPEZ. Your Honor, Mr. Chair.

THE CHAIRPERSON. Yes, please.

MS. LOPEZ. Okay. In this case, Your Honor, preventing or aggressive defiance, Your Honor, that might constitute as such. But if there is a valid reason on the end of the person, that might be considered. But, again, aggressive and continued defiance without justification or reason, Your Honor, that may be taken as such.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. Thank you, Ma'am. Thank you, Mr. Chair.

But you will also believe that the queries of Members of the Committee remain and will remain unanswered if the responsible public officers or employees fail to elucidate on the subject issues by their continued absence. And the conspicuous absence of these public officers and employees of the Office of the Vice President causes immediate or certain injury to the powers of this Committee granted under the Constitution. Would you agree with that also?

MS. LOPEZ. Yes, Your Honor, yes.

REP. ACOP. Okay. Thank you.

And Mr. Chair, dahil po sa ginagawa noong mga tauhan under Atty. Lopez and under the Office of the Vice President, I believe that we can file administrative cases against the non-attending public officers and employees of the OVP before the Office of the Ombudsman. That is my point of view and my stand, Mr. Chair. Kasi they can be charged for misconduct and conduct prejudicial to the best interest of the service as a course of action.

Thank you, Mr. Chair. May I proceed?

THE CHAIRPERSON. Please continue.

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REP. ACOP. Thank you.

Clarificatory questions. Atty. Lopez, you are the Chief of Staff and Undersecretary under the Office of the Vice President. As such, you are the number two insofar as the OVP is concerned.

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. Yes. And all those people under the Office of the President...

MS. LOPEZ. Vice President

REP. ACOP. ...Vice President, eh, kayo po ang tinitingnan na mataas maliban kay Vice President.

MS. LOPEZ. Yes, after the Vice President.

REP. ACOP. Yes. Being the Chief of Staff, kami po, ako, galing sa militar, galing sa pulis, iyong mga iba may mga opisina, mayroon silang mga Chief of Staff, and everybody of us will say na iyong Chief of Staff ang nakakaalam lahat ng operations ng kanilang opisina. Would you agree with that?

MS. LOPEZ. In my experience, Your Honor, that does not hold true. So, I cannot agree to that statement.

REP. ACOP. How long have you been in the government service?

MS. LOPEZ. More than 10 years, Your Honor.

REP. ACOP. Ten years. Ako, more than four decades. At ang pagkaalam ko, iyong Chief of Staff is the most knowledgeable among the staff of a head of office.

MS. LOPEZ. In most cases, Your Honor, yes. That is correct.

REP. ACOP. So, you are the only exception?

MS. LOPEZ. No, Your Honor. It is only in this matter that I am not privy to.

REP. ACOP. You are not privy on what matter?

MS. LOPEZ. The matter of confidential funds and the...

REP. ACOP. You're lying, Madam Attorney, simply because the letters that you wrote to COA would belie your statement kasi alam mo, eh. If you read intently the contents of your letters, alam mo. How can you explain iyong...iyong AOM?

MS. LOPEZ. Respectfully, Your Honor. Mr. Chair...

REP. ACOP. Kayo po ang nakapirma doon...

MS. LOPEZ. Ako po iyong...

REP. ACOP. ...and would you say na pumirma ka na hindi mo alam iyong mga nandoon. Are you trying to tell me that being a lawyer?

MS. LOPEZ. Your Honor, the documents, the attachments...

(MR. JEFFREY C. OVILLA TOOK OVER)

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MS. LOPEZ. (Continuing)...the attachments as regards the answer to the AOM was presented and prepared by Mr. Ortonio. I...It is not incumbent upon me to double check or to review such documents, Your Honor. My role in the Office of the Vice...

REP. ACOP. Pero ikaw ang pumirma.

MS. LOPEZ. ...Office of the Vice...

REP. ACOP. Eh, 'di ba, sa...bilang abogado, ang sabi nga sa law school, 'di ba, sa inyo, eh, bago mo pirmahan iyong iyong death warrant, eh, basahin mo muna?

MS. LOPEZ. Opo. Ang...

REP. ACOP. 'Di ba?

MS. LOPEZ. Yes, Your Honor. I simply check, Your Honor, the form, ano po iyong attachments...

REP. ACOP. Ikaw naman, Attorney. *(Laughs)*

MS. LOPEZ. ...and the explanation.

Your Honor, respectfully, Mr. Chair, I have also mentioned this earlier when in the question of Congressman Adiong...ah, Congressman Zia. I mentioned that the matter of disbursement, utilization of the confidential fund, that is the matter that I am not really privy to. But in the matter of explaining, for example, issuing external communications to a government agency, such as the Commission on Audit, as the highest official in the OVP, Your Honor, I sign off on all the documents. That is my...one of my roles in...

REP. ACOP. And what is the significance of your signature?

MS. LOPEZ. That is has been reviewed...

REP. ACOP. Hindi ba dapat doon is alam mo iyong kuwan, bagay na iyon?

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. Yes. Ikaw naman, o. Kasi hindi ka puwedeng...Attorney, hindi ka puwedeng pipirma sa isang kuwan na hindi mo babasahin. That is your training as a lawyer. You cannot depart from that.

MS. LOPEZ. Respect...

REP. ACOP. Yes.

MS. LOPEZ. Respectfully, Mr. Chair, as mentioned earlier, I signed it as a matter of course as the head of the agency for that external communication, subject,

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of course, to the attachments that were included and the explanations made, Your Honor.

REP. ACOP. I think you better change that, Madam, dahil, one day, you might be signing your death warrant when you do not read it. Hindi ba posible po iyon?

MS. LOPEZ. Iyon po...I can only speak for that...my experience, Your Honor. That was exactly what happened in that letter.

REP. ACOP. Yes. Thank you.

How long have you been working with Mr. Ortonio and Madam Acosta?

MS. LOPEZ. Mr. Ortonio was also...was a colleague also in the City Government, Your Honor, of Davao.

REP. ACOP. How about Madam Acosta?

MS. LOPEZ. Also one of our...one of the employees of the local government unit.

REP. ACOP. So, matagal na kayong magkasama, and how long would that be?

MS. LOPEZ. More than 10 years, Your Honor, Mr. Chair.

REP. ACOP. O, 'di, doon sa 10 years na iyon, mas mataas ba sila sa iyo o mas mataas ka pa rin sa kanila?

MS. LOPEZ. Mr. Ortonio was a city department head also, Your Honor, which had the same rank as me. But Ms. Gina Acosta is one of the employees, senior.

REP. ACOP. But you were the City Administrator then?

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. O, and then, you know everybody. You know what is going on in the local government unit that you belong to, right?

MS. LOPEZ. I know a lot of...not everything, Your Honor.

REP. ACOP. Ah, it is expected of the City Administrator to know the operations of the local government unit, especially the branches or the offices under that unit.

MS. LOPEZ. That is correct, Your Honor.

REP. ACOP. Yes. Alam ko naman na maaaring hindi mo alam lahat, but it is expected of you, being the City Administrator, alam mo dapat ang mga iyon, right?

MS. LOPEZ. That's correct, Your Honor.

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REP. ACOP. Now, may I know, I...doon sa confidential fund, do you know of its existence in your office? Eh, kasi kanina idine-deny mo, eh. Parang wala kang kaalam-alam, eh. But do you know the existence of a confidential fund in your office?

MS. LOPEZ. Yes, Your Honor, it is part of our budget.

REP. ACOP. Hindi, iyong 2022, did you know that?

MS. LOPEZ. 2022, Your Honor?

REP. ACOP. Yes, iyong...

MS. LOPEZ. Yes.

REP. ACOP. ...hundred twenty-five.

MS. LOPEZ. Yes.

REP. ACOP. Yes, you know it. How did you come to know about it?

MS. LOPEZ. Your Honor, it was part of the recommendation...ah, the request that we made to the Department of Budget and Management.

REP. ACOP. Sino po ang gumawa ng sulat na iyon?

MS. LOPEZ. The letter was signed by the head of agency, Your Honor.

REP. ACOP. So, it's the head of agency ang gumawa. Hindi mo sinasagot iyong tanong ko. Iyong tanong ko is, if you under...if you understood it properly, sino po ang gumawa ng sulat na iyon? Iyon ang tanong ko, eh.

THE CHAIRPERSON. Atty. Lopez, please...

REP. ACOP. Are you trying to tell me that the...

THE CHAIRPERSON. ...please be responsive to the question.

REP. ACOP. Are you trying to tell me that the Vice President was the one who prepared that letter?

MS. LOPEZ. Ah, no, Your Honor. We drafted the letter for consideration of the Vice President. We included therein all the other requests that we needed from the Department of Budget and Management. It is a request.

REP. ACOP. So, you know something about confidential funds?

MS. LOPEZ. The request, Your Honor, yes.

REP. ACOP. *(Laughs)* Ikaw naman, *hija.*

The request of the confidential fund, wow! Iyong confidential fund *per se*, hindi mo alam?

MS. LOPEZ. Your Honor, I...as mentioned earlier in the interpellation of Mr. Zia Adiong, only the disbursement, utilization, these are matters that I am not privy

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to. But in the request for the budget that included the confidential fund, we drafted that letter, Your Honor.

REP. ACOP. Kasi in your letter to COA na pinirmahan ninyo ni Mr. Ortonio, detalyadong-detalyado, eh. It pertains to iyong liquidation reports insofar as the confidential funds are concerned, and, yet, you are telling us you do not know anything about its utilization, but you can answer the AOMs of COA. Specific na po iyon, iyong mga...iyong observations ng COA. Now, kaya...I cannot...I cannot believe that you do not know anything about its disbursement...

MS. LOPEZ. Your Honor...

REP. ACOP. ...or its liquidation kasi nandito, eh. Ang nakalagay dito, if I may read, "We respond to its finding in the AOM in *seriatim*." Nakalagay, "We submitted liquidation reports with their supporting documents." You are already speaking of liquidation reports, and, still, you deny you do not know?

MS. LOPEZ. Your Honor...

REP. ACOP. Baka mapikon ako, *hija*, eh.

MS. LOPEZ. Respectfully, Your Honor, I am not...I wouldn't want that, Your Honor.

The letter was prepared, as mentioned earlier, by Mr. Ortonio, and he presented the attachments to the same. As a matter of course, Your Honor, I took a look at it, looked at the attachments, and then saw it correct in form, and because all external communications have to be signed by the highest official in the Office of the Vice President, I signed off. It was a matter of course, Your Honor, on my end. In the same manner...

REP. ACOP. So, when you say "a matter of course," Madam, you said, it's ministerial on your part?

MS. LOPEZ. Your Honor, if I may, Mr. Chair? Even in the regular audit, when we have AOMs, it...these are...

THE CHAIRPERSON. Ma'am, you have to be reminded that you are under oath.

MS. LOPEZ. Yes, I know that, Your Honor.

Even for the matter of regular audit, these items are prepared by the Finance Cluster. And on the end...on my end, Your Honor, I review the attachments and the explanations, and then I sign off on it also. So, it is really...that is, Sir Acop, what I meant by "it's a matter of course." It is something that I sign off on, provided, in form,

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it's already the proper attachments and the explanations are there. But as to whether how it was liquidated and how it was disbursed, I have no...I cannot...I have no direct knowledge, Your Honor. It is simply a paper review on my end.

REP. ACOP. Ah, I'm amazed, Atty. Lopez, kasi ang tingin ko sa mga abogado, eh, kuwan, eh, meticulous sila, binabasa, pero, on your part, working as the Chief of Staff, hindi ka naging meticulous...

(MS. ERLINDA C. REYES TOOK OVER)

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REP. ACOP. (Continuing)...hindi ka naging meticulous. Anyway, I'll go to another topic.

I will refer to your letter to the Honorable Gamaliel Cordoba, 21 August, 2024. I think you already saw this letter, and shall we say, state to the Committee that you signed. This signature is yours, right?

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. Now, when you signed this letter, kayo po ang gumawa?

MS. LOPEZ. Your Honor, this matter was...

REP. ACOP. Pakisagot lang po iyong tanong ko. Kayo po ang gumawa?

MS. LOPEZ. Hindi po, Your Honor.

REP. ACOP. Hindi. So, sino po ang gumawa nito?

MS. LOPEZ. It was drafted by Mr. Lemuel Ortonio.

REP. ACOP. Is Mr. Lemuel Ortonio a lawyer?

MS. LOPEZ. No, Your Honor. He is not.

REP. ACOP. No. And you read this letter?

MS. LOPEZ. Yes, Your Honor.

REP. ACOP. And you agreed with all the contents of this letter?

MS. LOPEZ. That was our position, Your Honor...

REP. ACOP. No...

MS. LOPEZ. ...It was a shared...

REP. ACOP. No. No...

MS. LOPEZ. Yes.

REP. ACOP. ...You answer my question.

MS. LOPEZ. Yes.

REP. ACOP. Now, may I ask, can you explain to me that what the... when we investigate the use of confidential funds of the Office of the Vice President and the Department of Education, you are of the position that the subject subpoena violates the constitutional principle of separation of powers? Could you please educate me? How... How did we violate the principle of separation of powers? Nandito po sa sulat po ninyo, pinirman ninyo.

MS. LOPEZ. Your Honor, may I read the letter *in toto*?

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REP. ACOP. Yes.

MS. LOPEZ. Yes. For the record, it says, "The principle of separation of powers is violated when one branch of government unduly encroaches in the domain of another. Jurisprudence provides that there are only two ways to violate the subject principle, namely—by impermissible interference with another department's performance and by assumption of another department's functions.

Here, it is clear that the subpoena was not issued in aid of legislation and, thus, exceeds the legislative power of inquiry, and its issuance impermissibly interferes with the exclusive functions of the Commission on Audit and infringes upon the independence of the Commission."

And then, "First, Congress has no power to participate or otherwise take part in any audit process. Obtaining any information in a pending audit clearly does not serve a legislative purpose of drafting or remedying legislation.

Second, the audit decisions which the Committee seeks to obtain are in cases still pending adjudication, and therefore not final, not conclusive, and cannot be used as a fair, accurate, or intelligent basis for legislation.

Third, COA has already published its annual audit reports for fiscal year 2022 and 2023, which are specifically intended to aid the Executive and Legislative departments in crafting responsive laws and regulations.

Fourth, the only purpose mentioned is to expose to the public the use of confidential funds by the offices headed by the Vice President, and purportedly, whether such use follow the guidelines.

During the subject hearing, Representative Castro stated, 'Since hindi po puwedeng sabihin dito iyong the findings, iyong report o iyong anumang observations ng COA, ang mga taong-bayan po interesado dito sa confidential funds at kung paano ito ginamit, kung ito po ba ay sumunod doon sa guidelines.'

Also, as reported in the media, Representative Castro has been known to say that the Vice President has not yet satisfactorily explained the OVP spending of confidential funds in 2022... in 2022. She added that the VP still has yet to account how she spent the said funds in 2023, and that she is not off the hook yet." End of quote.

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This is not related to any legislative purpose. There is no congressional power to expose for the sake of exposure. The determination of whether the utilization of the funds complied with audit guidelines falls within the exclusive mandate of the Commission on Audit. It cannot be overemphasized that COA has the exclusive power, authority, and duty to examine, audit, and settle all accounts pertaining to the revenue and receipts of, and expenditures or uses of funds and property.

Constitutional framers envision the COA as a dynamic, effective, efficient, and independent watchdog of the government, and for this reason, conferred upon it broad and extensive powers. Allowing a committee of the House of Representatives to subpoena audit decisions pertaining to an ongoing audit will only hamper the COA's performance of its duties.

On the other hand, the determination as to the legality of confidential funds solely falls within the exclusive mandate of the Judiciary.

Clearly, therefore, Congress cannot infringe... infringe rather, upon constitutional mandates vested upon other branches of the government.

Item two. The enforcement of the subject subpoena...

REP. ACOP. No. No. No. Let's stop there.

MS. LOPEZ. Okay.

REP. ACOP. So, iyong tanong ko, please explain to me why the hearing conducted by this Committee would violate the separation of powers? Iyong po iyong katanungan ko, eh.

MS. LOPEZ. Opo. Your Honor...

REP. ACOP. You said COA is an independent body. Nandito nga sila tinatanong namin, eh. That is why I asked whether Mr. Ortonio is a lawyer or not. Believe nga ako, eh. I'm amazed, Madam Attorney. Attorney ka, naniniwala ka dito sa sinabi ng isang hindi attorney.

MS. LOPEZ. Your Honor...

REP. ACOP. 'Di ba?

MS. LOPEZ. Respectfully, this is the position of the agency.

REP. ACOP. Hindi. Hindi ko tinatanong, eh. Tinatanong ko lang, eh. I am amazed, Madam Attorney, na naniniwala ka sa legal stance ng isang hindi attorney.

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Kaya, please answer my question, where did we violate the separation of powers by conducting this legislative inquiry?

MS. LOPEZ. Your Honor...

REP. ACOP. Explain to me.

MS. LOPEZ. Yes. As... There is currently an ongoing audit in the Office of the Vice President as regards the confidential funds. The power to conduct audit or investigate are... belongs to the Commission on Audit.

REP. ACOP. No argument about that.

MS. LOPEZ. Yes. That is why, Your Honor, we feel, it is our position that given, given that the audit is still ongoing, it is not final, it is not yet conclusive, the release of said documents or information is... infringes on the right of the Commission on Audit to conduct a full... full-scale investigation given that it is still pending.

REP. PADUANO. O, di mag-file siya sa Supreme Court...

MS. LOPEZ. ...So, that is our position, Your Honor. It is simply that. It is a request that we made to the Commission on Audit. It does not, in any way, Your Honor, mean that we do not recognize the power of the Congress to conduct in aid of legislation. It's just the timing because the audit is still being undertaken, and is not final, and still not conclusive, Your Honor. Respectfully.

REP. PADUANO. Chairman.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. So, Ma'am, kasi po ang concern to... for the inquiry in aid of legislation doon sa subpoena is addressed to COA, not to your office, tama?

MS. LOPEZ. Opo.

REP PADUANO. So, binigay sa amin ng COA. So, COA violates a law? So, by then... kasi logic dictates na COA dapat, 'di ba? Kasi hindi naman kami humihingi sa iyo ng dokumento, eh. 'Di ba, it's the COA?

MS. LOPEZ. Opo.

REP. PADUANO. Now, COA give us the document. Now, so, did COA violates any law?

MS. LOPEZ. Your Honor, that is not for us to determine. We simply requested COA.

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REP. PADUNAO. No. No. Now, kaya nga, eh. Okay. Now, because that is your position, supposedly, legally, you have to file a case against COA. Did you file a case against COA?

MS. LOPEZ. No, Your Honor, it was just a letter-request.

REP. PADUANO. O, because...No. Now, letter-request. Now, COA give us the document.

MS. LOPEZ. Yes.

REP. PADUANO. Sino ngayon ang tama, kayo o iyong Congress, o iyong Committee?

MS. LOPEZ. Ah...

REP. PADUANO. Hindi, Ma'am, kasi ganito, ganito, abogada ka, eh.

MS. LOPEZ. Opo.

REP. PADUANO. Then, if you invoke this letter of yours with regards to possible violation of law...

(MS. MA. LUISA M. RAMIREZ TOOK OVER)

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REP. PADUANO. *(Continuing)...violation of law, you should file a case,* 'di ba?

MS. LOPEZ. Yes, Your Honor.

REP. PADUANO. But not in Congress, sa COA. Because COA complied to the orders by this Committee.

MS. LOPEZ. Yes.

REP. PADUANO. 'Di ba? You're a lawyer, 'di ba, Ma'am?

MS. LOPEZ. Yes, Your Honor. But in this case, Your Honor, we simply made a request to the Commission on Audit.

REP. PADUANO. Hindi nga, eh. But still you argue until now. A while ago, you stated that you still stand by your letter despite of the fact na sinagot na nga kita. In my Committee, ang dami ko na pong inorder sa COA to conduct a fraud audit kahit wala pa pong ND nga, eh, AOM palang. *Because there is a basis to conduct a fraud* audit. Now, question of...sinasabi mong dapat question of legislation? Ma'am, Attorney, don't you know na because of this...this investigation, we should pass a law with regards to confidential funds.

Second, iyong Public Bonding Law that should be amended. Hindi pa ako tapos BTr. Madami tayong pag-usapan diyan. Question of COA, Memorandum Circular 97-002, that should be also amended at ilagay mismo sa mandate ng COA. Kasi ang daming misinterpretation doon. MC 97-002, iba iyong requirements. Pagdating doon sa BTr, pinatanggal iyong ibang requirements. And the only way that we can resolve that issue and problem with regards to COA and BTr is to legislate law...a law. Specific provision of law na dapat malinaw ano ba talaga ang requirements doon sa mga cash advances and requirements for an SDO. Iyon po, *Attorney. Kaya hindi ninyo puwedeng sabihin na we're conducting this investigation* not in aid of legislation.

Thank you, Mr. Chairman.

MS. LOPEZ. Your Honor, yes. Thank you also, I hear you.

REP. ACOP. May I continue, Mr. Chair?

THE CHAIRPERSON. Please continue, Congressman Acop.

REP. ACOP. Iyong...iyong reason po ninyo is, "The principle of separation of powers is violated with one branch of government unduly encroaches on the domain of another." Now, *at what instance sa pag-conduct namin ng hearing na ito,* did we encroach on the domain of another branch of government?

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MS. LOPEZ. Your Honor, in this case, Your Honor, as stated, the audit investigation is still ongoing. It would seem that if the documents would be provided to the end of Congress, it is as if Congress is also conducting an audit process.

REP. ACOP. We're not conducting an audit process.

MS. LOPEZ. Yes...

REP. ACOP. We're conducting an inquiry in aid of legislation pursuant to the Constitution.

MS. LOPEZ. Okay.

REP. ACOP. Now, tell me, wala pa kayong naipapakita sa akin, eh, na paano kami nag-e-encroach doon sa domain ng other branches of government? Show me.

MS. LOPEZ. Your Honor...

REP. ACOP. You must remember, Attorney, that we have oversight functions...

MS. LOPEZ. Yes.

REP. ACOP. ...over the budget of government. And part of that oversight function is the reason why we can conduct inquiries regarding the use so that maybe we could change, for example, the joint circular of...regarding the liquidation of confidential funds. Kayo, sa letter ninyo, pine-presume na wala kaming legislative intent, eh. How can you do that? How can you presume that?

MS. LOPEZ. I'm sorry, Your Honor, but during the time this letter was made, there was no draft legislation or there was no...

REP. ACOP. We can conduct legislative inquiry and the bill can be filed after the legislative inquiry.

MS. LOPEZ. Yes.

REP. ACOP. Kasi malicious kasi iyong nasa utak ninyo, eh.

MS. LOPEZ. Your Honor, respectfully...

REP. ACOP. Ano po?

MS. LOPEZ. Yes. Our position, Your Honor, is just that hindi pa po tapos kasi iyong audit investigation. Iyon lang naman po iyon. That's why we requested COA not to release it first.

REP. ACOP. Now, sige, please cite me a law which would say na iyong ginawa po namin na dahil hindi pa tapos iyong audit, hindi kami makapag-conduct ng legislative inquiry on the issue. Can you cite me a provision of law?

MS. LOPEZ. None at the moment, Your Honor.

REP. ACOP. Yes.

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MS. LOPEZ. *None at the moment.*

REP. ACOP. Kaya nga, sabi ko, bakit ka naniwala sa isang hindi abogado.

Now, may I know, iyong, "The enforcement of the subject subpoena will violate the Office of the Vice President's right to due process", could you explain that also to me para maintindihan ko?

MS. LOPEZ. Yes, Your Honor. But as a starting point, may I read the letter, *in toto*, at least that provision only? If you will allow me, Mr. Chair.

REP. ACOP. Yeah.

MS. LOPEZ. Okay. "*Item No. 2, the enforcement of the subject subpoena* will violate the Office of the Vice President's right to due process. First, enforcing the subpoena against the audit decision contravenes existing rules on the audit process. Disclosing the reports before the conclusion and finality of any audit is premature and will compromise the integrity of the final report. In fact, the Supreme Court has held that Notices of Disallowance may be released only to the parties having direct material interest namely—the auditor, the head of agency, and the officials directly affected by the said notices. This is to afford opportunity to appeal. Further, COA Circular No. 2013-006 *also provides that except as to the status of cases, no* information as to the action officer and/or the probable disposition or decision of any case pending adjudication before any office of this commission shall be disclosed to any person. Violation, hereof, shall be the subject of administrative action provided under existing Civil Service laws.

Second, the Office of the Vice President will be deprived of its right to an impartial tribunal in a fair and objective resolution of the cases. Public statements or discussions thereon by the Committee or the Congress as a whole may unduly *influence the bodies, which are already handling the same or similar subject matters.*

Finally, it must be noted that there are no less than three cases on the subject confidential funds that are currently pending with the Supreme Court. Hence, compel disclosure of the audit decisions may be violative of the *sub judice* rule which restricts comments and disclosures pertaining to judicial proceedings".

That was our second position, Your Honor. That it violates the subject...the subject subpoena will violate the due process...the right to due process of the Office of the Vice President.

REP. ACOP. *What is the...what would be the elements of due process?*

MS. LOPEZ. That there is...

REP. ACOP. When can you say that a person is granted due process?

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MS. LOPEZ. When he is informed, Your Honor, of its rights and...

REP. ACOP. Hindi ba kayo na-inform? Enumerate mo iyon, iha, at tatanungin ko.

MS. LOPEZ. The right to due process, Your Honor, pertains to the fact that a person is made aware of his rights and if there is any complaint or wrong that he has done, he's also made aware of such and he's given a chance and opportunity to explain.

REP. ACOP. Iyon po ang pinakaimportante, 'di po ba? Pero paano nga kayo makapag-e-explain *if you do not, you know, avail of the opportunity* na mag-explain dito, 'di ba? Iyong mga tao nga ninyo wala rito, eh, para mag-explain. And you say na...na, you know, the Vice President is deprived of an impartial tribunal. May conclusion na kayo kaagad na impartial kami. Is that what you're trying to tell us, Madam Attorney?

MS. LOPEZ. No, Your Honor. We're...

REP. ACOP. That was...that is what your letter says.

MS. LOPEZ. We are merely saying, Your Honor, that the audit investigation is *not final and not conclusive.*

REP. ACOP. Hindi nga. Ang sinabi mo rito, eh, "The Office of the Vice President shall...will be deprived of its right to an impartial tribunal". Your conclusion is impartial...

(MR. ALVIN ANTHONY F. RABULAN TOOK OVER)

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REP. ACOP. (Continuing)...*impartial na kami, eh. Hindi ba? O, right?*

MS. LOPEZ. We are also burdened by the fact, Your Honor, that the...there are three pending cases before the Supreme Court.

REP. ACOP. Now, what are these three pending cases?

MS. LOPEZ. This is...as regards the 125 million, Your Honor, funds...confidential funds which are still pending with the Supreme Court.

REP. ACOP. So?

MS. LOPEZ. For that reason, Your Honor, following the *sub judice* rule, it is...

REP. PADUANO. O, *wala nga, 'eh.*

MS. LOPEZ. ...we feel that it is not...

REP. ACOP. Ikaw nga. Ikaw na nga. Hay, naku!

REP. PADUANO. Attorney, question of *sub judice*. Malinaw na iyan, may Supreme Court ruling na iyan, 'di ba? 'Di ba, wala...walang *sub judice* with regards to inquiry in aid of legislation, 'di ba? Ang daming sa...andiyan...may mga jurisprudence na iyan. 'di ba? Do you confirm, 'di ba , may mga...sa...may mga ruling na iyan ng Supreme Court with regards to *sub judice*?

MS. LOPEZ. *Mayroon po, Your Honor.*

REP. PADUANO. O, under *sub judice,* it cannot be applied in inquiry in aid of legislation, malinaw iyan.

THE CHAIRPERSON. And additional...

REP. PADUANO. Kaya nga...

REP. ACOP. Kaya nga ang sinasabi ko *hija,* sa iyo, bakit naniwala ka sa isang hindi abogada o abogado, 'eh, ikaw ay abogado.

THE CHAIRPERSON. And, additionally, pañera, let me read Section 1 of Rules of Procedure Governing Inquiries in Aid of Legislation. Under paragraph 2, it provides that, "The filing or pendency of a case before any court, tribunal or quasi-judicial or administrative body shall not stop or abate any inquiry conducted to carry out a legislative purpose."

So, regardless, even assuming for the sake of argument that you are correct, na mayroon po kayong pending case, it will not stop Congress or this Committee from conducting its inquiry in aid of legislative purpose.

MS. LOPEZ. Ah, I hear you, Your Honor.

THE CHAIRPERSON. Okay. Please continue, Congressman Acop.

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REP. ACOP. *Last issue, Mr. Chair, the subject subpoena may not be validly* enforced due to the nature of confidential funds. What do you mean by this, Madam Attorney?

MS. LOPEZ. Again, may I read item 3, which is the last position.

"The subject subpoena may not be validly enforced due to the nature of confidential fund. A recognized restriction to the right of information is national security matters and intelligence information. There is governmental privilege against public disclosure with respect to secrets regarding military, diplomatic, and other *national security matters. As a matter of fact, Memorandum Circular No. 15-2023* provides that a specific exception to the right of access to information is privileged information relating to national security, defense, or international relations.

Moreover, Joint Circular No. 2015-01 or the Guidelines on the Entitlement, Release, Use, Reporting, and Audit of Confidential Funds specifies that reports of national government agencies pertaining to the use of confidential funds are submitted specifically only to the President, the Senate President, and the Speaker of the House. Acknowledging the highly sensitive nature of the information involved, the *agencies deemed it necessary to restrict access only to the enumerated officials and* exclude the collegial bodies in which they belong.

Finally, the COA rules explicitly provide that audit decisions may only be released to person specifically enumerated there under the rules. The pertinent COA circulars likewise require the confidentiality of all information involved in cases pending adjudication. This confidentiality rules were put in place to ensure the observance of due process and to preserve and protect the information in pending audit cases. No valid and legitimate purpose has been forwarded to overcome the *protection set forth under the Constitution and rules stated above.*

In view of the foregoing, this is where we respectfully urge the Honorable Commission to uphold the paramount confidentiality of the information being sought by the subpoena."

Thank you.

REP. ACOP. Are you...are you trying to tell us that Congress cannot look into how confidential funds or intelligence funds are spent?

MS. LOPEZ. Ah, no, Your Honor. Congress...

REP. ACOP. *So, paano mo i-explain itong rason mo rito?*

MS. LOPEZ. Ang sinasabi lang naman po namin dito, Your Honor, is that in this case, hindi pa po conclusive and final iyong audit investigation report.

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REP. ACOP. Iyon nga iyong tinanong ko sa iyo kanina. Please tell me if there's a provision of law that prevents us from conducting inquiries in aid of legislation while the findings of COA are not yet final. Mayroon ba? Sinabi mo kanina wala, 'eh.

MS. LOPEZ. I cannot cite any particular law, Your Honor.

REP. ACOP. You have no basis then...

MS. LOPEZ. But ang...

REP. ACOP. ...or your writer, Mr. Ortonio, does not have any legal basis to state this thing. Tama? You, being a lawyer, puro claims lang ito, 'eh, pero wala kayong pinapakita na legal basis. Tama? First question mo pa lang, 'eh, ano ang aspect ng national interest na naapektuhan nito? Galing po ako sa military, 'eh, wala akong makita na aspeto na it would affect our national security.

MS. LOPEZ. Our stand, Your Honor, is just extreme caution in discussing matters like this, given that it is still pending investigation. That is the...the reason why we drafted and requested the Commission on Audit, Your Honor. It was just a mere request and for the Commission on Audit to consider.

REP. ACOP. I will...I will state again, Madam Chair. Kayo po ay abogado, ako ho ay nagtataka kung bakit naniwala kayo sa argumento na inilagay dito ng hindi isang abogado.

Thank you, Mr. Chair.

MS. LOPEZ. Thank you, Your Honor...

REP. A. D. GONZALES. Mr. Chairman.

MS. LOPEZ. ...Mr. Chair.

THE CHAIRPERSON. Thank you.

With the indulgence of Congressman Acidre, the Chair would like to recognize Senior Deputy Speaker Dong Gonzales.

REP. A. D. GONZALES. Thank you, Mr. Chairman.

Atty. Lopez, could you please...national security is for intelligence funds. Confidential funds are related to the mandate of the civil agency. Can you differentiate between the two, Ma'am? Magkaiba po yata itong dalawang ito.

MS. LOPEZ. Your Honor, just a moment.

According to Joint Circular, Your Honor, No. 2015-01, "Confidential Expenses refer to those expenses pertaining or related to surveillance activities in civilian government agencies that are intended to support the mandate or operations of the agency," Your Honor.

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REP. A. D. GONZALES. But the joint circular differentiates this very well, that's why both funds have different provisions and basis, Ma'am. Di ho ba tama? Kaya magkaiba po iyong dalawang iyan, based on the joint circular. That's why confidential fund is for civil agencies and intelligence fund is only for intelligence...

MS. LOPEZ. For uniform.

REP. A. D. GONZALES. ...practitioners.

MS. LOPEZ. Yes, Your Honor. The law provides that intelligence expenses refer to those related to intelligence information gathering of uniformed and military personnel and intelligence practitioners.

REP. A. D. GONZALES. Ah, COA, do you confirm on the difference po? Are you agree on my questions to COS, Atty. Lopez?

MS. CAMORA. Mr. Chair, the difference between intel fund and confidential fund...

REP. A. D. GONZALES. And confidential funds, yeah.

MS. CAMORA. Yes. Mr. Chair, we agree that intel fund is for national security and confidential funds are intended to support the mandate or operations of the agency.

REP. A. D. GONZALES. Civilian agency...civil agency.

MS. CAMORA. Civilian, yes, Mr. Chair.

REP. A. D. GONZALES. Civilian agencies. So, they are different.

MS. CAMORA. Yes. Mr. Chair.

REP. A. D. GONZALES. Okay na po, Attorney, COS? At least na-confirm...

(MR. REYNALDO T. SANTOS, JR. TOOK OVER)

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REP. A. D. GONZALES. (Continuing)...na-confirm ko po sa COA ang differentiation of the two.

Thank you, Mr. Chairman.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize the Honorable Jude Acidre.

REP. ACIDRE. Maraming salamat, Mr. Chair.

Nais ko pong magtanong ulit kay Attorney Lopez.

Attorney Lopez, kumusta po kayo?

MS. LOPEZ. Not... My back hurts, Your Honor.

REP. ACIDRE. May katanungan lang po ako, Mr. Chair, Attorney Lopez. Una po, natanong na po ito kanina ni Cong. Acop, pero uulitin ko lang po, for the record. Personal ninyo pong kakilala si Ginang Gina Lop... Gina Acosta?

MS. LOPEZ. Personal, yes, Your Honor. And...

REP. ACIDRE. Matagal niyo na po ba siyang kakilala?

MS. LOPEZ. Kakilala namin siya... Kakilala ko po siya dahil she also was with ... with the City Government of Davao.

REP. ACIDRE. Sa anong kapasidad po siya konektado sa City Government of Davao?

MS. LOPEZ. She was with the City Budget Office, I understand, Your Honor.

REP. ACIDRE. At that time, you were City Administrator. Matagal niyo na po ba siyang kakilala?

MS. LOPEZ. Professionally, yes, Your Honor, matagal na po.

REP. ACIDRE. So, sa tingin ninyo po, pagkakaalam niyo po, paano kaya napili si Ginang Acosta bilang SDO? Kasi I'm sure there must be a reason for you to have chosen her from Davao LGU and bring her to the Office of the Vice President.

MS. LOPEZ. Your Honor, I did not choose her as SDO.

REP. ACIDRE. I mean, to your knowledge, why was she chosen? I'm sure it was intimated to... sa inyo bilang Chief of Staff, having supervision.

MS. LOPEZ. No, Your Honor. It was not at all intimated to me.

REP. ACIDRE. So, it was not your decision to choose her as SDO.

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MS. LOPEZ. I was not the one, Your Honor, for the record, to designate Ms. Acosta.

REP. ACIDRE. Did you have... Was you... Were you ever consulted or asked whether she is the best person to be selected as... designated as SDO?

MS. LOPEZ. No, Your Honor, I was not consulted.

REP. ACIDRE. Whose decision was it to make her SDO?

MS. LOPEZ. The person who designate the... the designated... the designating officer was the head of agency, Your Honor.

REP. ACIDRE. In this case, it's the Vice President, correct?

MS. LOPEZ. Yes, Your Honor.

REP. ACIDRE. So, are you saying, for the record, that it was the Vice President who personally chose Gina Acosta to be the Special Disbursing Officer for the Confidential Funds in the Office of the Vice President? Yes or no?

MS. LOPEZ. Yes, Your Honor.

REP. ACIDRE. Yes.

MS. LOPEZ. That was the designation.

REP. ACIDRE. Naalala niyo po ba anong plantilla position ni Ginang Acosta?

MS. LOPEZ. For the moment, let me confirm with Director... Okay. Your Honor, Ms. Acosta is Vice Presidential Officer... Staff Officer VI.

REP. ACIDRE. Okay. Salary grade, Mr. Chair?

MS. LOPEZ. Salary Grade 24.

REP. ACIDRE. Sa iyong pagkakakilala, mayroon bang experience o qualification si Ginang Acosta para maging SDO ng VP, kung saka-sakali lang, to give us... You're... You're the closest to the Vice President in the room right now. So, just to have an understanding of whether the Vice President saw something in Gina Acosta for her to be qualified as SDO.

MS. LOPEZ. Your Honor, I cannot answer for the Vice President.

REP. ACIDRE. But do you think... That's why I'm asking, sa inyong pagkakaalam, sa inyong pagkakakilala sa kanya, mayroon bang experience o qualification si Ginang Acosta na sa tingin ninyo po karapat-dapat sa kanya maging SDO? I'm sure as head of office... I mean, as... as Chief of Staff.

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MS. LOPEZ. I can only answer, Your Honor, for the functions that she does for the Office of the Chief of Staff, not as SDO.

REP. ACIDRE. So, you never had any control over her as SDO.

MS. LOPEZ. None, Your Honor.

REP. ACIDRE. Ito po, dati ho kayong City Administrator.

MS. LOPEZ. That is...

REP. ACIDRE. When you were City Administrator, may confidential funds din po ang City Government of Davao?

MS. LOPEZ. Yes, Your Honor.

REP. ACIDRE. That is on record, 'di ba?

MS. LOPEZ. Yes...

REP. ACIDRE. Okay.

MS. LOPEZ. ...that was presented also this morning... this... a while ago.

REP. ACIDRE. Para lang ma-refresh ang memory ng ating mga Miyembro ng Komite at ng taong-bayan, ano po ba ang SDO? Anong qualifications ng SDO po, Ma'am, sa inyong pagkakaalam po?

MS. LOPEZ. Your Honor, I have no idea what are the qualifications. But, maybe, the Finance Cluster because...

REP. ACIDRE. Can we ask the Treasury to give us the... Mr. Chair, just to refresh our... our memory...

THE CHAIRPERSON. Attorney...

REP. ACIDRE. ...or our understanding, Attorney Sanchez?

THE CHAIRPERSON. Attorney Sanchez, would you know?

MS. SANCHEZ. Mr. Chair, based on the Circular, wala pong specific qualifications na indicated. But, based also on the Circular, there are duties to be performed by the SDO. So, the SDO to be appointed should be able to have the qualifications to perform the duties indicated in the Circular.

REP. ACIDRE. At kasama po dito, Attorney, iyong tinatawag nating trust and confidence.

MS. SANCHEZ. Yes, Mr. Chair. That is not... Although that is not indicated in the Circular...

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REP. ACIDRE. In practice, it is.

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACIDRE. But would you also understand that trust and confidence... Would you also agree that trust and confidence need to be balanced with accountability at, of course, the competence to be able to carry out the function?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACIDRE. Dito, pangalawang tanong ko, balik ako kay Attorney Lopez, kilala niyo po ba si Edward Fajarda?

MS. LOPEZ. Kilala ko po, Your Honor.

REP. ACIDRE. Okay. Matagal ninyo na po ba siyang kakilala, Ma'am?

MS. LOPEZ. Hindi po.

REP. ACIDRE. Paano ninyo po siya nakilala?

MS. LOPEZ. I only know Mr. Fajarda as the... as the spouse of Attorney Sunshine Fajarda.

REP. ACIDRE. So... So, hindi niyo may pag...may... may alam po ba kayo kung paano napili si Edward Fajarda bilang SDO?

MS. LOPEZ. Hindi ho. I have no personal knowledge, Your Honor.

REP. ACIDRE. So, hindi niyo ho alam kung paano pinipili ang tao pero alam ninyo po kung paano tinatanggal ang tao sa Office of the Secretary ng Department of Education?

MS. LOPEZ. Your Honor, as elucidate... as explained early on this afternoon, that was a task that was given to me by the Vice President who was then the Secretary of Education.

REP. ACIDRE. So, would you confirm that there are specific tasks that were given to you, including... including dismissing officials of the Department of Education for the Vice President, even if you were not connected in any way with the... with the Department of Education?

MS. LOPEZ. Yes, Your Honor, that has happened.

REP. ACIDRE. Okay. So, hindi ninyo rin alam kung ano ang plantilla position ni Edward Fajarda?

MS. LOPEZ. Hindi po.

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REP. ACIDRE. Hindi niyo rin alam kung may qualifications ba or mayroon bang experience si Edward Fajarda para maging SDO?

MS. LOPEZ. Hindi po. I have no knowledge.

REP. ACIDRE. Alam mo, ang... Mr. Chair, ang... ang bilis magtiwala ng Office of the Vice President, 'no, ilang milyon, pero hindi kakilala.

Ito na lang, siguro, kakilala niyo po, Attorney Lopez, kilala niyo po ba si Shine Fajarda?

MS. LOPEZ. Attorney Sunshine Fajarda, yes.

REP. ACIDRE. Matagal ninyo na po ba siyang kakilala?

MS. LOPEZ. Attorney Sunshine is also one of the... Oo, matagal ko na po siyang kilala. Empleyado po siya din ng local government.

REP. ACIDRE. Sa pagkakaalam niyo po at based sa dahil matagal na kayong magkakilala, malapit po ba sa isang personal na rason, for personal reasons, si Attorney Shine kay... sa head of agency, sa Pangalawang Pangulo?

MS. LOPEZ. I cannot comment on their personal relationship. But, professionally, yes, Your Honor. I think their proximity because of professional, the work that Attorney Sunshine does.

REP. ACIDRE. Alam niyo ho ang tinitingnan ko po dito, Attorney Lopez, kanina niyo po ho sinasabi na... na compartmentalized madalas ang... ang instructions ng Pangalawang Pangulo, tama po ba? Kanina... Mula kahapon, kanina nakita ko sa social media, mayroong mga kumakalat na screenshots na diumano humihingi si Edward Fajarda ng mga personal bank account ng mga division superintendents. Ewan... Ewan ko kung nakita niyo na ho. Allegedly, parang may ibibigay... ipapadala silang pera sa kanila. Hindi ko ho verified. Nakita ko lang ho nandoon iyong pangalan niya, nandoon iyong discussion. Saka-sakali lang, may alam po ba kayo dito?

MS. LOPEZ. Wala... Wala po, Your Honor. I am not aware of that... Is that a text?

REP. ACIDRE. Chat group...

(MS. HANNA LEILA E. FRANCISCO TOOK OVER)

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REP. ACIDRE. (*Continuing*)...Chat group discussion.

MS. LOPEZ. No, Your Honor. I am not aware.

REP. ACIDRE. Sa tingin ninyo po, sa inyong pagkakakilala, si Edward man or si Sunshine Fajarda, gagawin ang naturang instruction na magbigay ng instruction sa mga division superintendents?

MS. LOPEZ. Your Honor, I have no personal knowledge as regards that. Hindi ko po nakatrabaho si Mr. Fajarda, so or...

REP. ACIDRE. Pero ano po ang position ngayon ni Mr. Fajarda at the moment?

MS. LOPEZ. Ah...

REP. ACIDRE. Ano po ang designation ngayon ni Mr. Fajarda, Mr. Chair?

MS. LOPEZ. Maybe we can have Director Lynne confirm this, Sir.

REP. ACIDRE. Hindi ba silang dalawa ngayon ulit ay mula sa Department of Education nandoon na ulit sa...nilipat sa Office of the Vice President? Tama po ba?

MS. LOPEZ. Yes, Your Honor.

REP. ACIDRE. So, hindi ninyo ho masasabi dapat na hindi ninyo *nakatrabaho ang dalawa kasi kayo po ang Chief of Staff ng...*

MS. LOPEZ. Si Atty. Sunshine, Your Honor, is one of our directors.

REP. ACIDRE. Okay.

MS. LOPEZ. But Mr. Fajarda has no direct dealing with my office, Your Honor. So, hindi ko pa siya literally nakakatrabaho.

REP. ACIDRE. Noted on that answer.

Noong mga naunang pagdinig, Atty. Lopez, ngayon po ibabalik ko lang po iyong mga sagot po ninyo. Na-confirm po ninyo, nakilala ninyo si Gina Acosta. Tama po ba?

MS. LOPEZ. Yes.

REP. ACIDRE. Kilala ninyo si Sunshine...

MS. LOPEZ. Yes.

REP. ACIDRE. ...Fajardo?

MS. LOPEZ. Fajarda.

REP. ACIDRE. Fajarda.

MS. LOPEZ. Yes.

REP. ACIDRE. Si Edward Fajarda.

MS. LOPEZ. Yes.

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REP. ACIDRE. *Magkakakilala ang tatlong tao na tanging may hawak ng* confidential funds, both ng Office of the Vice President at ng DEPED. Tama po ba?

MS. LOPEZ. Yes, Your Honor.

REP. ACIDRE. So, uulitin ko lang para sa kalinawan ng lahat. Magkakakilala...kino-confirm ninyo na magkakakilala itong tatlong tao na may control or discretion sa disbursement ng confidential funds ng OVP at ng Department of Education.

MS. LOPEZ. Your Honor, Mr. Chair, given that we are all working in the same office, *it is safe to assume, Your Honor, na magkakakilala na po sila.*

REP. ACIDRE. But would you also confirm na magkakakilala sila even before they...when they were assigned or they were employed by either the Office of the Vice President or the Department of Education?

MS. LOPEZ. I cannot confirm that, Your Honor.

REP. ACIDRE. Pero sinabi ninyo pa lang po, Ma'am, na kanina na pareho silang nagtrabaho sa City Government of Davao.

MS. LOPEZ. Yes, Your Honor. Si Sunshine at saka si Ma'am Gina siguro at *one point nagkita kasi galing po sila sa Davao.*

REP. ACIDRE. At malamang naman siguro si magkakilala si Sunshine at si Edward kasi mag-asawa po sila.

MS. LOPEZ. Opo. Pero as regards Gina and Mr. Edward, I'm not sure. But Gina and Sunshine...Atty. Sunshine, yes.

REP. ACIDRE. At ang pang-apat na tao na nakakakilala sa kanilang tatlo ay kayo po, 'di po ba?

MS. LOPEZ. Yes, kilala ko po sila.

REP. ACIDRE. *Maliban po din sa Bise Presidente po. Tama po ba?*

MS. LOPEZ. Yes, Your Honor.

REP. ACIDRE. Masasabi ba natin na...kasi hindi ho birong halaga iyong pinag-uusapan natin sa disbursement ng confidential funds. At kahit ho kayo, inamin ninyo po at paulit-ulit ninyong sinasabi na kayo po ay walang alam sa detalye ng disbursement. Tama po ba?

MS. LOPEZ. That is correct, Your Honor.

REP. ACIDRE. So, ibig sabihin, kung anumang instruction sa disbursement *na binigay sa dalawang SDO ay nanggaling lamang sa Pangalawang Pangulo.* Tama po ba?

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MS. LOPEZ. Your Honor, I have no personal knowledge kung saan galing iyong kanilang instruction.

REP. ACIDRE. So, ibig sabihin...kasi ganito iyon, Ma'am, eh, Mr. Chair. If it's not coming from you, where is it coming from?

MS. LOPEZ. Your Honor, I can only answer for myself. It is not coming from me.

REP. ACIDRE. But you were Chief of Staff, Ma'am, I was a Chief of Staff, 'di ba? Lahat ng nangyayari hindi puwedeng...minsan nga ikaw pa ang nag-i-initial lahat ng pipirmahan ng principal, 'di ba? And the...and I'd like to believe because the designation of a special disbursing officer requires the payment of fidelity bonds, procedurally, such designation should have come under your supervision. Tama po ba, Ma'am?

MS. LOPEZ. No, Sir. The matter of fidelity bonds, I think it went through the Finance Cluster.

REP. ACIDRE. But, of course, who would have endorsed it to them? You mean, si Finance Cluster, ginawa lang nila on their own volition?

MS. LOPEZ. *I did not endorse the bonded officers, Your Honor.*

REP. ACIDRE. No, what I'm saying is, gagawin lang ba iyon ng Finance Cluster even without your permission, without your endorsement na ito ang gagawin nating supervising disbursement officer? So, ang nagdesisyon lang noon na kunan sila ng fidelity bond ang Finance Cluster lang?

MS. LOPEZ. Your Honor, as stated earlier, I was not the one who designated them as SDO. So, these are documents...

REP. ACIDRE. So, sino po ang nag-designate sa kanila SDO ulit, Ma'am?

MS. LOPEZ. *The head of agency, Your Honor.*

REP. ACIDRE. So...okay.

Atty. Sanchez, kinausap ka ba ni VP Sara na ayusin iyong fidelity bond ni Ms. Acosta?

MS. SANCHEZ. Mr. Chair, can I respond?

THE CHAIRPERSON. Yes, Atty. Sanchez.

MS. SANCHEZ. Thank you, Mr. Chair.

Mr. Chair, whenever there is a special order designating special disbursing officers in the Office of the Vice President, it is incumbent upon the Finance Cluster to arrange and to obtain the fidelity bond, Mr. Chair. So, we relied on the issued special order designating Ms. Acosta as the Special Disbursing Officer, Mr. Chair.

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REP. ACIDRE. So, sino po, Atty. Sanchez, Mr. Chair, ang nagpadala ng special order sa inyo?

MS. SANCHEZ. Mr. Chair, it was released through the Central Records Unit, Mr. Chair. Naka-number na siya as a special order, so we took that as para...it triggered the...for our division...for the Accounting Division to process the fidelity bonding, Mr. Chair.

REP. ACIDRE. Ibig sabihin, Atty. Sanchez, you just processed it on the presumption that it went through the regular channels.

MS. SANCHEZ. Yes, Mr. Chair, because it was through our Central Records Unit, Mr. Chair.

REP. ACIDRE. And based on your knowledge, based on your experience, such records, such documents would have been released only after approval by the Office of the Vice President or the Vice President herself.

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACIDRE. In that case, the administrative head of the Office of the Vice President is the Chief of Staff, 'di ba?

MS. SANCHEZ. The administrative...I am the Director for Administrative Service, Mr. Chair.

REP. ACIDRE. But what I mean is, who do you report to?

MS. SANCHEZ. The Assistant Chief of Staff, Mr. Chair.

REP. ACIDRE. Where do the Chief of Staff report to...the Deputy...Assistant Chief of Staff?

MS. SANCHEZ. The Chief of Staff, Mr. Chair.

REP. ACIDRE. Ultimately, if we follow procedure, all documents released and signed upon by the Vice President in ordinary course of things should have been cleared by the Chief of Staff, 'di po ba?

MS. SANCHEZ. I have no specific knowledge on that matter if all the...if all the documents are coursed through the Chief of Staff, Mr. Chair.

REP. ACIDRE. Alam mo, ibig sabihin, si VP Sara mismo ang nagbibigay, si VP Sara mismo ang nagpapadala ng mga special orders?

MS. SANCHEZ. Mr. Chair, there are other administrative officers in the Office of the Vice President proper.

REP. ACIDRE. But who presents it for the signature of the Vice President?

MS. SANCHEZ. I am not...

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REP. ACIDRE. Atty. Lopez, who presents documents for the signature of the Vice President?

MS. LOPEZ. That particular document, Your Honor, it was not from the Office of the Chief Staff that...designating or that designating memo.

REP. ACIDRE. But I'm asking another question, Ma'am.

MS. LOPEZ. Yes.

REP. ACIDRE. Who presents documents for signature of the Vice President?

MS. LOPEZ. The Office of the Chief of Staff, Your Honor. We prepare it.

REP. ACIDRE. Correct, *'di ba?*

MS. LOPEZ. In some cases, correct.

REP. ACIDRE. So, for this particular confidential fund...designation of SDO for confidential fund, hindi ho dumaan sa inyo?

MS. LOPEZ. Hindi po, Your Honor.

REP. ACIDRE. I will repeat it because you are under oath, Ma'am.

MS. LOPEZ. Yes.

REP. ACIDRE. For the record. You did not present that document for the signature of the Vice President?

MS. LOPEZ. Yes, Your Honor.

REP. ACIDRE. You did not prepare the document designating the SDO...

(MS. KAY ANN RITZ D. RAMOS TOOK OVER)

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REP. ACIDRE. (Continuing)...designating the SDO of the Office of the Vice President?

MS. LOPEZ. No, Your Honor. I did not.

REP. ACIDRE. Have you submitted, Mr. Chair, the copy of the special order? Because it should contain the initial underneath the signature. Because if we have not, I would like to move that we request for a copy of the special order.

Because, otherwise, Mr. Chair, I would be...I would be worried that somebody who would be given the authority to disburse hundreds of millions of pesos and not have to go through ordinary processes. Eh, kahit nga travel order kailangan initial-an ng Chief of Staff, eh. Travel order lang iyon.

MS. LOPEZ. Ah, Your Honor, may I answer?

THE CHAIRPERSON. Please, Atty. Lopez.

MS. LOPEZ. Mr. Chair. Mr. Chair, yes.

As mentioned, the matter of travel orders, there are only certain travel orders that I sign because there is a delegation of authority...

REP. ACIDRE. But, nonetheless...

MS. LOPEZ. ... in our office.

REP. ACIDRE. ...Madam, Atty. Lopez, nonetheless, those delegation has been arranged with your agreement or with at least with your facilitation?

MS. LOPEZ. Yes.

REP. ACIDRE. So, you cannot...you cannot...you cannot claim that delegation is proper here, 'di ba? Kasi, ultimately, even the act of delegating has to be discussed with you, tama po ba?

MS. LOPEZ. Ah, there was a discussion...I'm sorry, Your Honor, just for a point of clarification. We are referring to the delegation of authority as regards travel issuances or are we referring to...

REP. ACIDRE. No. Ordinary documents, Ma'am, that require the signature of...like we're just using an example the travel...the... kasi kung ang travel authority nga kailangan ng knowledge, is issued with the knowledge of the Chief of Staff, paano mo kami mapapaniwala na ang special order authorizing someone to handle and disburse hundreds of millions of pesos did not go through you, Ma'am?

Either you're [redacted], Ma'am or you're lying. Ay, sorry, I mean, sorry nadadala lang ako, 'di ba?

MS. LOPEZ. Ah...

THE CHAIRPERSON. Ah...

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REP. ACIDRE. Kasi nag-Chief of Staff ako, eh. Lahat ho nang dinadaan, pipirmahan, either ang principal ko ang kulong o ako ang kulong. Kasi ako ang mag-i-initial, eh. And we're not talking about as an ordinary designation. This is SDO. This is an SDO designation. And, now, we've come to know that they used almost half a billion pesos.

MS. LOPEZ. Ah, Your Honor, respectfully, that was a document...that was not a document that was prepared by my office.

REP. ACIDRE. Sobrang confidential naman ng funds na iyan, Ma'am, pati designation confidential din.

MS. LOPEZ. As mentioned earlier, Your Honor, ang...my task really as the Chief of Staff and as Undersecretary was to handle all the socioeconomic programs of the office. It is a day-to-day operations thing, oversight of all the divisions, the employees of the OVP, Your Honor.

REP. ACIDRE. But it is also not the case when you're Chief of Staff, even if you would handle ordinary administrative, as you mentioned, pro...kuwan, you also have to understand the point and direction of all these administrative decisions, 'di ba?

MS. LOPEZ. Ah, Your Honor, ang sinasabi ko na lang...naman lang po is that, that particular document, the designation, was not prepared by the Office of the Chief of Staff, did not go through me. So, I really have no information as regards that.

REP. ACIDRE. Anyway, sorry kanina, Atty. Lopez.

MS. LOPEZ. Iyon lang...

REP. ACIDRE. Medyo nadala lang ako, pero ito na lang...

MS. LOPEZ. No need for name-calling sana, Sir. My request.

REP. ACIDRE. Sa tingin ninyo po, ang tatlong individual na ito na-mention kanina, Atty. Lopez—si Fajarda, si Sunshine, si Edward, at si Gina Acosta—kikilos ba ang mga ito? Kasi sabi mo walang instruction from you. Sa inyong pagkakakilala sa kanila, kikilos ba sila, gagawa ba sila ng kahit anong hakbang na walang instruction mula sa inyo o sa Pangalawang Pangulo?

MS. LOPEZ. I can only answer for Ms. Gina Acosta, Your Honor, because she is under the chief...Office of the Chief of Staff doing certain tasks.

REP. ACIDRE. Well, she worked without the Vice President's instructions?

MS. LOPEZ. As regards...I cannot say, Your Honor, because I am really not part of...

REP. ACIDRE. Okay. I will qualify the...I will revise the question.

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Will...Should she act without the—kasi wala ka naman, eh, out of the picture ka—in your estimation at the Chief of Staff, should she act without the instruction of the Vice President? Kasi kung hindi ka rin kasama, eh, baka si Gina Fajardo *(Acosta)* talaga ang nagtago noong...nag-disburse lang, kaniya lang, 'di ba.

MS. LOPEZ. Your Honor, given that she was designated as an SDO, she will get her instructions from the one who designated her as SDO.

REP. ACIDRE. Hindi po ako abogado, Ma'am, pero ang sagot ninyo po abogado talaga, 'no. Ito na lang, kikilos ba, gagalaw ba si Ginang Acosta ng...dapat bang gumalaw o kumilos o mag-decision si Ginang Acosta na walang pahintulot o instructions mula sa Pangalawang Pangulo?

MS. LOPEZ. Ah, hindi po.

REP. ACIDRE. Tama. Salamat po for that answer.

Puwede ba nating masabi...Puwede ba nating masabi, Ma'am, na dahil matagal nang magkakakilala itong tatlong tao, kilala din ninyo...kayo, kilala din ni Vice President, puwede ba nating masabi na sa usapin ng confidential funds, the act of one is the act of all?

MS. LOPEZ. Ah, Your Honor, as I mentioned, I can only answer for myself, 'no. I am not privy to anything as regards the disbursement, utilization of the confidential funds.

REP. ACIDRE. Ma'am, kung hindi po kayo privy sa utilization ng confidential funds, paano ninyo po mae-establish iyong boundaries ng liquidation at kayo pa po ang nagsulat sa Commission on Appoint... on Audit tungkol dito?

MS. LOPEZ. Oo. As I mentioned earlier, Your Honor, these were documents and attachments presented and prepared by Mr. Lemuel Ortonio.

REP. ACIDRE. Ma'am, as a lawyer... as a lawyer and as a Chief of Staff of the Vice President, hindi ba sa tingin ninyo, in your judgment, itong mga arrangements na ito na medyo sabihin na lang natin unorthodox, 'no, ito ang nagresulta ng kakulangan po ng transparency sa paggamit at pag-disburse ng confidential funds? In your judgment, Ma'am. You know, we could have...You're not the only agency that has confidential funds. And we did not see these problems in other agencies.

But can you at least acknowledge that all these trying to find ways of compartmentalizing, of skirting procedure, have contributed to...at least na lang, Ma'am, to that impression that there is a lack of transparency in the disbursement of confidential funds, that you could have done better in the use of confidential funds.

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MS. LOPEZ. Your Honor, Mr. Chair, that is the case and the situation in the Office of the Vice President, Your Honor. It is...There are things that I am not privy to. It is compartmentalized kind of tasking. I was only really confined to my tasks, which I mentioned earlier, Your Honor, which is really running the operation side of the Office of the Vice President, ensuring that our programs are institutionalized. It is implemented across the country. Iyon po ang main task ko. I was not...

REP. ACIDRE. And you...

MS. LOPEZ. ...really given information. I was not made privy to that.

REP. ACIDRE. For the record lang, Atty. Lopez. Did any of your programs, projects that you implemented, any of these projects, were these funded by the confidential funds? For the record.

MS. LOPEZ. Your Honor, no. There is a budget allotted for our socioeconomic programs.

REP. ACIDRE. Klaro iyan, Ma'am, ha. You're...You're...So, lahat iyon walang...walang serbisyo sa bayan. Walang serbisyo, walang social service na napondohan galing sa 600 billion or 500 billion ba...500 million ba na na-assign sa confidential funds?

MS. LOPEZ. None, Your Honor, because all our projects are...have allotted... ah, all our socioeconomic programs have different allotments...

REP. ACIDRE. Correct.

MS. LOPEZ. ...in the budget.

REP. ACIDRE. Kasi regular item...

(MS. JOAN E. GRUTA TOOK OVER)

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REP. ACIDRE. (Continuing)... regular item iyon sa office, hindi ba?

MS. LOPEZ. Opo.

REP. ACIDRE. So, itong 600 million or 500 million, in the case of the OVP, were for items that were never part of assistance programs, nothing to do with helping the people, tama po ba?

MS. LOPEZ. None, Your Honor, for our regular programs.

REP. ACIDRE. Thank you for that clarification, Attorney Lopez.

Mr. Chair, kanina pa sinasabi paulit-ulit ni Attorney Lopez na compartmentalized ang trabaho ng Office of the Vice President at mga nasabing tao na pinangalanan natin. Hindi niya alam ang detalye ng disbursement ng mga confidential funds. Ngunit hindi natin makakaila... makakaila na merong klarong koneksiyon ang mga katauhan na nag... nag... na in charge sa paggamit at pag-disburse ng confidential funds na posibleng maging rason o dahilan ng kakulangan ng accountability sa usaping ito. Tatlong tao lamang, Mr. Chair, tatlong tao lamang na magkakakilala, magkakaibigan, magkakapamilya ang nagkaroon ng kontrol sa halos kalahating bilyong pera ng bayan.

Ulitin ko lang ho, Mr. Chair, para mag sink in po sa ating mga resource person at mga Members ng Committee, hinayaan, pinahintulutan, at itinalaga ng Tanggapan ng Pangalawang Pangulo ang tatlong tao. At tatlong tao lamang na magkakakilala, magkakaibigan at magkakapamilya ang kontrol sa pondong ating tinitignan.

May manifestation sana ako, Mr. Chair, eh. Ako naman iyong last, 'no... meron pang isa?

VOICE. May isa pa.

REP. ACIDRE. Pero puwede pa?

THE CHAIRPERSON. Yes.

REP. ACIDRE. Manifestation lang.

THE CHAIRPERSON. Okay. Please state your manifestation.

REP. SUAREZ. Before your manifestation, of course, with the indulgence of Congressman Jude, I think dala ng emosyon kanina, meron po siyang nabanggit na hindi magandang salita.

THE CHAIRPERSON. Unsavory word.

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REP. SUAREZ. Oo. So, with the permission of Cong. Jude, maybe we can strike that word out and just replace it na lang with another word just so that we can control the... the narrative and the way we handle ourselves and the decorum na instead of the word that you used, maybe we can replace it with something else, like incompetent or something like that.

REP. A. D. GONZALES. Just strike out na lang.

REP. ACIDRE. I submit, I submit to the Committee, Mr. Chair.

REP. SUAREZ. Thank you very much.

THE CHAIRPERSON. There's a motion by the Honorable...

REP. A. D. GONZALES. Second.

THE CHAIRPERSON. ...Deputy Speaker to strike out the word—sasabihin ko pa ba?

REP. A. D. GONZALES. Huwag na lang.

THE CHAIRPERSON. As stated a while ago by Congressman Jude Acidre, is there a second to the motion?

REP. A. D. GONZALES. Second, second.

REP. SUAREZ. Any objection?

THE CHAIRPERSON. Any objection? Hearing none, the motion is carried.

Please state your manifestation.

REP. ACIDRE. Mr. Chair, mula pa sa simula, malinaw na ang layunin ng imbestigasyong ito – alamin ang katotohanan sa likod ng kuwestiyonableng confidential funds na inilaan para sa Tanggapan ng Pangalawang Pangulo at sa Kagawaran ng Edukasyon. Maraming katanungan ang bumabalot sa isyung *(issue)* ito. Tama ba na bigyan ng confidential funds ang mga tanggapang ito? Tama ba na ang pinaglaanan sa pondong ito? Ngunit sa huli, ang pinakamahalagang tanong, nagamit ba sa tama ang pera ng bayan? Hindi po maikakaila na ito po ay isang inquiry in aid of legislation at kailangang masagot ang mga kritikal na katanungan – sino, paano, at para saan maaaring gamitin ang confidential funds? Subalit sa halip na malinawagan, mas dumami pa ang ating mga agam-agam. Bakit tila magkakaiba ang mga pahayag ng iba't ibang ahensiya tungkol sa paggamit ng confidential funds, lalong-lalo na sa Youth Leadership Summit? Bakit hinayaan ng Commission on Audit

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na tanggapin ang mga kuwestiyonableng dokumento para sa liquidation ng pondo? At higit sa lahat, ito ang tanong ng bayan – sino nga ba si Mary Rose Piattos... Mary Grace Piattos? Ang mga tanong na ito ay hindi maaaring ipagwalang-bahala. Ang bawat isa ay naglalatag ng mas malalim na issue, naaayon ba talaga sa batas ang paggamit ng confidential funds at kung hindi, ninakaw ba ang confidential funds?

Sa isang nakaraang pagdinig, sinabi ni Attorney Mike Poa, mismong dating Chief of Staff at Tagapagsalita ng Pangalawang Pangulo, na tatlong tao lamang ang may kabatiran kung paano ginamit ang confidential funds. Ang mga Special Disbursement Officers – sila Gina Acosta ng OVP, Edward Fajarda ng DEPED, si Attorney Zuleika Lopez, ang Chief of Staff, at siyempre, ang mismong Pangalawang Pangulo. Tanging sila at sila lamang ang maaaring makakapagbigay-linaw sa usaping ito. Ngunit ano ang naging tugon sa paanyaya ng Komiteng ito? Maliban kay Attorney Lopez na kasama natin ngayon, tumanggi silang humarap sa Komiteng ito. Minsan mayroong dumating, pero hindi man lamang nagnasang manumpa na magsabi ng katotohanan. Ang iba pilit nagtatago at iniiwasan ang ating pagdinig. Sa halip, iniwan nilang harapin ang mga tanong... harapin ang mga tanong ng mga career officials, mga lingkod-bayan na, based sa sinabi nila noong nakaraang pagdinig, wala silang kinalaman o direktang kaalaman sa paggamit ng confidential funds.

Alam mo, last hearing pa po, Mr. Chair, ito po ay aking napansin at napakasakit isipin na iniwan ang mga lingkod-bayan na magpali... ating mga career officials na magpaliwanag ng pondong hindi nila nakita, ni hindi nila nagamit. Parang naiwan sa ere ang ating mga career officials na halos buong buhay na nila ay nilaan sa paglilingkod bayan. Ang tanong, bakit? Ano ang kinakatakutan ng mga opisyal na may direktang kaalaman dito? Hindi ko maiwasang isipin kung ganito ba kababa ang tingin o ang trato ng naturang head of agency sa mga career officials sa kanilang ahensiya o di kaya sa tingin ba nila hindi karapat-dapat na malaman ng taong-bayan ang katotohanan.

Nitong nakaraang pagdinig natanong ko po sa ating mga panauhin, ating mga career officials, at nandito po sila, at sinang-ayunan nila ako, na kahit ano pa ang kanilang pagnanais at pagsisikap na sundin ang mga batas at alituntunin sa tamang

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paggamit ng pera ng bayan, mananaig pa rin... din sa huli ang patnubay at desisyon ng mga nakakataas at, sa puntong ito, ang mismong Pangalawang Pangulo ng ating bansa. Ang bawat piso ng confidential funds, Mr. Chair, ay pera ng bayan. Ang patuloy na pag-iwas at pagtangging humarap sa mga sana'y may kinalaman at may tungkulin sa pondong ito... sa Komiteng ito ay isang insulto sa mandato nilang maglingkod ng may katapatan. Hindi po biro ang halagang pinag-uusapan natin dito—lampas kalahating bilyong piso. Ang 150 million confidential fund ng DEPED, halimbawa, ay tila walang malinaw na plano kung paano ito gagamitin at walang konkretong dokumento o ebidensiya kung paano ito ginastos. Kung ginamit ito ayon sa mandato ng DEPED, sana'y nakabili na tayo ng 150,000 na arm chair, tatlong milyong lib... tatlong milyong libro o 4,286 na laptops para sa ating mga guro at mag-aaral. Ngunit hindi ito ang nangyari. Sa halip, patuloy ang pananahimik, patuloy ang pag-iwas, patuloy ang kawalang respeto sa hangarin ng Komiteng ito na alamin ang katotohanan. Sa halip na sagutin ang mga tanong ng sambayanan, mas pinili nilang talikuran ang kanilang sinumpaang tungkulin, ang pangalagaan ang pera ng bayan.

Hinihikayat ko, Mr. Chair, na kahit minsan hindi natin nakukuha ang mga tano... ang mga sagot na gusto nating malaman sa ating mga resource person ay huwag ho tayong tumigil, huwag ho tayong mapagod hanggang mailabas sa katotohanan at magkaroon ng kasagutan ang mga tanong ng sambayanan na nananatiling matalim at mariin. Nasaan na po ang confidential funds, sino po si Mary Grace Piattos? At higit sa lahat, sino po ang nagnakaw ng pera ng bayan?

Maraming salamat po.

THE CHAIRPERSON. Thank you, Congressman Jude Acidre.

The Chair would like to recognize the next and the last interpellator, the Honorable Congresswoman France Castro...

(MS. MARY JENELYN L. VASQUEZ TOOK OVER)

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THE CHAIRPERSON. (Continuing)...Congresswoman France Castro, the last but not the least.

REP. F. L. CASTRO. Yes. Thank you, Mr. Chair.

So, unahin ko muna, Mr. Chair, iyong... parang ano na tayo dito, 'no, siyam na oras na tayong nakaupo dito at parang na... napuspos na, 'no, iyong mga tanong natin, except for doon sa talagang iyong totoong resource person na dapat na siya iyong nakakaalam, 'no, na dapat na magpaliwanag dito.

But, anyway, Mr. Chair, doon sa 125 na confidential funds, Mr. Chair, I would like to ask the COA doon sa payments on the rental of safe houses. There are 34 acknowledgment receipts. Tama po?

THE CHAIRPERSON. COA, Atty. Camora, you're recognized.

MS. CAMORA. Tama po, Mr. Chair.

REP. F. L. CASTRO. A total of 16 million pesos. Tama po?

MS. CAMORA. Tama po, Mr. Chair.

REP. F. L. CASTRO. Ito po, Mr. Chair, 'no, mula December 21, 2022 up to December 31, 2022, so 11 days na ginastos para sa mga safe houses. At nakita natin dito, Mr. Chair, 'no, iyong mga kapuna-kapuna na mga observations dito at kung aanalisahin natin ay baka nga, 'no, 'di natin alam saan napunta itong mga amount na ito.

Kasama ba iyong 16 million sa Notice of Disallowance, Mr. Chair, COA?

MS. CAMORA. Mr. Chair, parang hindi na po yata siya kasama.

REP. F. L. CASTRO. Yes. Pero kung papansinin natin, Mr. Chair, dito sa summary ng expenses doon sa safe house like, for example, December 21, three acknowledgment receipts iyan, totaling to 1.1 million; in December 22, totaling to 1.7 million, apat iyan na safe houses; in December 23...December 23, we have two acknowledgment receipt equals 1 million. Mayroon tayong December 24, dalawang acknowledgment receipt, which is 600,000; December 26, Mr. Chair, mukhang ito iyong isa sa pinakamalaki, 'no, na bayad sa safe houses, 1 million sa isang tao lang, 'no, 1 million; and then December 27, totaling to 3.45 million o 3... 3.450 million. Okay. So, ilan ito—2, 4, 6, 7—seven na mga safe houses iyan. And then 28, December 28, Mr. Chair, mayroon tayong 2.850 million na gastos para sa safe houses—2, 4, 5—okay, five people, 'no, mayroong mga unreadable. Okay. In December 29, Mr. Chair, mayroon tayong 2.450 million; December 30, dalawa po, Mr. Chair, 1.1 million; December 31, 500 million.

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By the way, take note, December 28, mayroong 1 million na safe house, 'no, 2 point... total doon, and then, undated, mayroong 250,000, Mr. Chair. So, mayroon dito, Mr. Chair, 'no, may mga pangalan, okay, may mga pangalan iyan, pero mayroong unreadable, walo iyan na mga unreadable; mayroong hindi pirmado.

So, ang tanong ko po sa COA, hindi niyo ito nasama, 'no, sa Notice of Disallowance. Pero, halimbawa po, itong December 21, mayroong 500 pesos na ibinayad sa araw na iyon para sa safe houses. Tingin niyo po ba makatotohanan iyon? Ilan bang safe houses iyon, isa, ilan po? Nandodoon ba sa report?

MS. CAMORA. Wala po, Mr. Chair. Kung ano po iyong nasa acknowledgment receipt, iyon na po iyong...

REP. F. L. CASTRO. Sa 24(?).

MS. CAMORA. ...iyon po iyong information...

REP. F. L. CASTRO. Wala siyang...

MS. CAMORA. ...available sa amin.

REP. F. L. CASTRO. ...wala siyang breakdown kung ilang mga safe houses iyon?

MS. CAMORA. Wala po, Mr. Chair.

REP. F. L. CASTRO. Five hundred thousand isang... So, we assumed, Mr. Chair, isang safe house iyan.

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. You assumed?

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. So, you assumed isang safe house iyan?

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. Itong December 26, 1 million. So, you assumed isang safe house din iyan?

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. Itong December 28 na 1 million, you assumed din na isang safe house iyan?

MS. CAMORA. Since wala pa talagang indication...

REP. F. L. CASTRO. Okay. December 29, 750,000, isang safe house din iyan? Tama?

MS. CAMORA. Yes po. Wala nga pong indication sa acknowledgment receipt.

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REP. F. L. CASTRO. Yes. So, hindi niyo sinama ito sa Notice of Disallowance? Hindi ba kayo nagtaka dito sa mga amount na ito na...Mr. Chair, ito lang kahit na 250,000, makakabili ka na ng isang bahay doon, 'di ba, pero rent ng safe...safe house. So, ano ba ibig sabihin noong rent noong safe houses? Ano'ng... ano'ng kasama doon?

MS. CAMORA. Rentals and incidentals po based on the joint circular. Rentals of safe houses, Mr. Chair.

REP. F. L. CASTRO. Okay, iyong rentals. Sa isang araw, 1 million, kasama doon iyong mga incidentals?

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. So, hindi kayo nagtaka doon?

MS. CAMORA. At that time...

REP. F. L. CASTRO. You just accepted the acknowledgment receipt on face value?

MS. CAMORA. Yes, Mr. Chair, at that time po...

REP. F. L. CASTRO. So, iyon ang problema natin diyan, Mr. Chair.

Do you attempt... did you attempt na mag-imbestiga po dito? Kahit na sa isang ano lang, sa isang date lang, nag-attempt po ba kayo na tukuyin itong mga ito?

MS. CAMORA. Mr. Chair, at that time, hindi po. Hindi po na-raise naman po na red flag siya sa amin. But then, iyon nga po, as we have stated kanina, based on inputs din po sa mga hearings, part...part po ng magiging review namin is itong sa safe house rentals and maybe subject to, ano, supplemental NS or ND po.

REP. F. L. CASTRO. Yes. Kasi ito...dito kasi parang hindi kapani-paniwala din, eh. May impossibility...

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. ...na may ganyang rerentahan ka ng house with those amenities, kung talagang may mga special amenities iyan. Iyong informant iha-house mo sa ganyang kagarbo na...

MS. CAMORA. Opo. At that time po kasi, ang idea po yata noong auditors is iyong safety noong mga iha-house sa safe house, iyong imme... immediate na iyong ma... mata-transfer po sila in case ma-compromise po sila. So, at that time po, mga ganoon po iyong mga idea, but iyon nga po, sabi namin na we will look further po.

REP. F. L. CASTRO. Well, malinaw iyong sa JC, 'di ba, rental of safe houses.

MS. CAMORA. Opo.

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REP. F. L. CASTRO. Wala pong nakalagay doon noong pagsi-safety noong kanilang ano, rental.

MS. CAMORA. Yes po.

REP. F. L. CASTRO. So, specific naman, eh, na nakalagay sa JC. Kaya inaano natin dito, with all the amenities, iyong physical na bahay iyan, or rent, so masyadong malaki, 'no?

MS. CAMORA. Yes, Mr. Chair.

REP. F. L. CASTRO. So, kailangan natin. Mr. Chair, itong mga nakalagay ng mga pirma o mga pangalan na ito, puwede po natin... may I move that we could check this with the PSA kung existence pa ba ito? Kasi baka, ito, katulad din ni Piattos na... at iba pa, Mary Grace Piattos at iba pa. So, puwede ba natin, Mr. Chair, na maisama rin ito doon sa pagtsi-check natin on a motion na ano...

THE CHAIRPERSON. There is already...

REP. F. L. CASTRO. Okay.

THE CHAIRPERSON. ...an existing motion and it was already ruled by the Chair.

REP. F. L. CASTRO. Okay. Thank you, Mr. Chair, 'no. At saka itong mga unreadable na ito, paano kaya, Mr. Chair, itong mga unreadable na ito?

Sa COA po, mayroon po dito kasing mga unreadable na mga pangalan na in-accept din ninyo as is.

MS. CAMORA. Yes po.

REP. F. L. CASTRO. So, ano pong recourse niyo doon?

MS. CAMORA. Pag-aaralan po namin, Mr. Chair, kung paano namin po ma...mahigpitan po iyong sa DEPs, sa...

REP. F. L. CASTRO. So, kukunin niyo iyong pangalan?

MS. CAMORA. ...sa documentary evidence of payments.

REP. F. L. CASTRO. Kukuhanin niyo iyong pangalan?

MS. CAMORA. Possible po na 'pag hindi namin ma-verify talaga iyong name is i-ND na po namin sila.

REP. F. L. CASTRO. Ano ibig sabihin? Ah, okay.

MS. CAMORA. I-ND, part po na ng Notice of Disallowance.

REP. F. L. CASTRO. Okay. Thank you.

At saka ito din ano, kung existing itong mga pangalan na ito.

MS. CAMORA. Opo.

REP. F. L. CASTRO. Okay. So, 16 million din iyan. Okay.

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Next.

Kumusta po si Atty. Lopez? Kasi tayo kayo nang tayo. Understandable naman kung mayroon kayong ano dito, 'no?

MS. LOPEZ. Yeah, scoliosis, Your Honor.

REP. F. L. CASTRO. At... At sa loob ng siyam na oras, very cool din kayo...

MS. LOPEZ. Thank you.

REP. F. L. CASTRO. ...sa pagsagot.

MS. LOPEZ. Thank you.

REP. F. L. CASTRO. Okay. So, tayo po, ginagawa lang natin iyong trabaho natin. So, naiintindihan po natin iyon, 'di ba, Attorney?

MS. LOPEZ. Yes, Ma'am, we understand.

REP. F. L. CASTRO. Okay. Dito sa letter... alam niyo, parehas talaga kami ng line of thought ni ano, eh, ni General Acop...

(MS. RHUPA D. RAMIL TOOK OVER)

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REP. F. L. CASTRO. (Continuing)...General Acop, eh, Representative Acop, iyong mga tanong niya, naitatanong na niya dito sa letter na ito, except for...doon sa binanggit iyong pangalan ko. Okay.

So, ito, 'no, doon sa 4th, in-emphasize pa, Madam Chair, Mr. Chair, for the sake of exposure. Ang tanong ko lang kay Atty. Lopez, Mr. Chair, napapanood niyo po ba ako or nasusubaybayan niyo po ba iyong mga inire-raise ng Representasyong ito sa mga budget hearing?

MS. LOPEZ. Hindi po lahat pero may mga instances, Your Honor, Mr. Chair.

REP. F. L. CASTRO. Yes. So, nasusubaybayan niyo po ba iyong posisyon ng Makabayan bloc sa confidential funds?

MS. LOPEZ. Yes, Your Honor.

REP. F. L. CASTRO. Ano po iyon kung alam niyo?

MS. LOPEZ. That certain agencies should only be given...should only be allotted confidential funds, not all agencies, am I right? I'm sorry.

REP. F. L. CASTRO. Medyo kulang.

MS. LOPEZ. Sorry.

REP. F. L. CASTRO. So, ang posisyon po ng Makabayan diyan, pati ng Kinatawang ito, ay i-abolish talaga ang confidential funds dahil, ito na nga, 'no, this is it, nakikita na natin kung paano nagagamit, 'no, o paano siya nami-misuse, based naman dito sa mga nakikita na natin. Okay.

So, sinasabi niya, Mr. Chair...sinasabi ni Atty. Lopez, Mr. Chair, for the sake of exposure. So, ano po iyong ibig sabihin noon? Bakit parang in-emphasize niyo pa na ako ay ini-raise ko itong confidential fund for the raise of exposure. Ano ang tingin niyo mapapala ko na iri-raise ko ito for the sake of exposure?

MS. LOPEZ. Respectfully, Your Honor, Mr. Chair, may I be recognized?

THE CHAIRPERSON. You are recognized, Atty. Lopez.

MS. LOPEZ. Thank you. Thank you, Sir Chua.

Ma'am, as mentioned earlier, the letter that we have submitted is a mere request to the Commission on Audit.

REP. F. L. CASTRO. Yeah.

MS. LOPEZ. It is a simple statement of our position given that there is an ongoing audit investigation on the confidential funds.

REP. F. L. CASTRO. No. You are not responsive, Mr. Chair...

MS. LOPEZ. Okay.

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REP. F. L. CASTRO. ...doon sa tanong ko. So, ano ang mapapala ko lang doon sa sinasabi niyo, at in-emphasize niyo pa, for the sake of exposure, 'no? The only purpose mentioned is to expose to the public the use of confidential funds. So, the only purpose ay, ano lang, i-expose ko lang iyan? Tingin mo wala akong dahilan bakit natin inire-raise itong confidential fund?

MS. LOPEZ. Hindi naman po, Your Honor.

REP. F. L. CASTRO. Okay.

MS. LOPEZ. Ito lang po iyong posisyon namin as an office. Hindi naman namin sinasabi na wala po kayong purpose except...

REP. F. L. CASTRO. To expose it.

MS. LOPEZ. No. In this case kasi, Your Honor, the premise is that hindi pa po final iyong findings ng audit investigation. So, we feel that it was not the right time to release it because it was inconclusive. It was not final.

REP. F. L. CASTRO. Okay.

MS. LOPEZ. Iyon naman po. But it is not to say, Your Honor, that you have no purpose...

REP. F. L. CASTRO. Yes.

MS. LOPEZ. ...really. At the end of the day, mayroon po kayong position, I understand that as Member of the Akbayan...

REP. F. L. CASTRO. Makabayan.

MS. LOPEZ. ...Makabayan—sorry—Your Honor, Makabayan bloc.

REP. F. L. CASTRO. Yes. As Member of the Makabayan, mula pa noong panahon ni Representative...former Representative Satur Ocampo, against na kami sa mga confidential funds, sa mga iba't ibang funds na walang kontrol, 'no, iyong ating taumbayan. Kaya iyong pag-e-expose natin ng confidential funds, hindi lang iyan sa panahon namin, at nakita naman natin iyong mga experience niyan. Instead, 'di ba, kung mayroon tayong confidential funds, ibigay iyan doon sa mas tangible na mga projects, mapapakinabangan ng taumbayan, 'di ba. So, iyon po iyong ano namin doon. At hindi iyon dahil in-expose lang natin. Kasi mayroon din kasing statement si Vice President, with due respect, na ginamit itong confidential funds, 'no, at napag-usapan namin with the Speaker. Walang ganoon. For the record, Mr. Chair, 'no, walang ganoon na itong confidential funds, kaya daw in-expose ni France o kaya in-expose ng Makabayan dahil mayroon kaming kuntsabahan ng Speaker or...or leadership. Walang ganoon, 'no. Nakita niyo naman...nakita niyo naman, 'no, bakit natin in-expose ito? Dahil may nakita tayong Notice of Disallowance, at

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bukod pa doon sa purpose natin na, siyempre, hindi dapat nagkakaroon ng confidential funds.

So, iyon po, ano, para on the record, malinaw lang iyong posisyon ng Makabayan at ng Kinatawang ito dito sa confidential funds at walang kinalaman si Speaker, with due respect, 'no, kung bakit namin ine-expose iyong confidential funds. O, baka naman isipin na naman ni Vice President na ipinagtatanggol natin ang Speaker, wala pong ganoon, 'no. Dito sa Kongreso, magkakaiba man kami ng posisyon dito sa Kongreso, we respect each other's political position, political belief, 'no. So, talagang ganoon, 'no, kasi iba-iba talaga ang pinanggagalingan. Okay. So, gusto ko lang malaman...gusto ko lang anuhin, 'di ba, gusto ko lang ding linawin iyong point na iyon.

Well, nag...ako rin, Mr. Chair, nag-expose...ako rin ang nag-motion for subpoena *duces tecum* dito sa confidential na 125, kung natatandaan niyo po, ano. At ang reason doon ay dahil mayroon tayong nakuhang not...ND...Notice of Disallowance. At, tama naman...at tingin niyo ba, may karapatan ang mamamayan na malaman niya...nila itong pinagkakagastusan ng confidential funds, na sinabi ko naman doon sa...when we hear the, ano, 'no, the budget of the COA that time.

MS. LOPEZ. Your Honor, the agency errs on the side of prudence. Because, according to the JC Memorandum Circular, this is information that is only given to certain agencies. Iyon lang naman ang posisyon namin...

REP. F. L. CASTRO. Yes. Kaya...kaya...

MS. LOPEZ. ...we just want to be on the prudent side of releasing information.

REP. F. L. CASTRO. Yes. Kaya nga, in aid of legislation, binuksan natin itong issue ng confidential funds.

MS. LOPEZ. Yes.

REP. F. L. CASTRO. Wala pa ang VP. Wala pa ang OVP ay issue na natin itong confidential funds.

MS. LOPEZ. Confidential funds.

REP. F. L. CASTRO. Kaya gusto natin talagang mabago, 'no, iyong pagtingin dito sa confidential funds.

Okay. Mr. Chair, noong tinanong natin during the budget hearing of the OVP iyong tungkol sa...ako iyong first na nagtanong, eh, doon sa budget hearing ng budget ng OVP, did you remember that, Mr. Chair? Nandoon ka, eh, sa likod ni VP.

MS. LOPEZ. Opo.

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REP. F. L. CASTRO. Oo.

MS. LOPEZ. Yes, yes.

REP. F. L. CASTRO. Nandoon ka sa likod ni VP. At talaga namang hindi ako satisfied kasi wala naman siyang sinagot. Dalawang linya lang iyong mga sinabi niya, 'di ba? So, hindi ako satisfied talaga.

Okay, Mr. Chair. So, iyon lang, ano, gusto ko lang linawin iyong ano ba iyong posisyon namin sa confidential funds; ano ba iyong papel dito ni Speaker, 'no. Walang papel, whatsoever, si Speaker, doon sa pag-aano namin, ano, pagbusisi namin sa confidential funds. Hindi lang naman OVP. Kung mapapakinggan niyo ako o ang Makabayan, hindi lang confidential funds ng OVP ang kini-criticize namin, tama?

MS. LOPEZ. (*Nodded*)

REP. F. L. CASTRO. Okay. So, Mr. Chair, kanina pa kasi, ano, na tinatanong natin si Atty. Lopez, na sinasabi niya parang wala siyang alam sa confidential funds, not until na sinabi ng ating DS, si DS Suarez, iyong tungkol doon sa dalawang letters na ang ibig sabihin mayroon siyang alam kahit papaano dito sa confidential funds. Pero kung hindi pa binrot out (*brought out*) itong letter na ito na talagang kayo iyong mga...iyong nakapirma dito, ay talagang mukhang pangangatawanan ninyo, ano, na wala talaga kayong alam. Tama ba iyong impression ko?

MS. LOPEZ. Your Honor, wala po talaga akong alam as regards the disbursement utilization.

REP. F. L. CASTRO. Hindi. Hindi iyon. Iyong the whole, iyong confidential funds. Kasi parang sinasabi mo kanina na labas ka doon sa confidential funds. Kasi from budgeting...kasi tinanong ko noong last meeting si Mr. Teñido, Rabago, napag-usapan naman talaga ito, 'no, iyong 125 na pagre-request, 'no...

MS. LOPEZ. Oo.

REP. F. L. CASTRO. ...noong 125. So, may alam ka doon?

MS. LOPEZ. Siguro, Ma'am, for the record, Mr. Chair. Your Honor, Mr. Chair...

THE CHAIRPERSON. Yes, please continue, Atty. Lopez.

MS. LOPEZ. ...oo, iyon lang po iyong point of clarification. Ang point of clarification is that I am aware that in the budget of the OVP, mayroon po tayong confidential funds. Ang wala lang po akong direct or personal information...

(MS. EMERITA E. AVILA TOOK OVER)

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MS. LOPEZ. (Continuing)...personal information is as regards the utilization, disbursement of the said fund.

REP. F. L. CASTRO. Well, I... I respect your...

MS. LOPEZ. Iyon po iyong...

REP. F. L. CASTRO. ...ano, 'no, your answer to that...

MS. LOPEZ. ...my clarification. Oo.

REP. F. L. CASTRO. ...pero respect... you respect me also na hindi ako naniniwala, 'no.

MS. LOPEZ. I understand, Your Honor.

REP. F. L. CASTRO. So, naniniwala ka ba na iyong confidential fund is a public fund, it is not private?

MS. LOPEZ. Yes, Your Honor.

REP. F. L. CASTRO. Okay. So, lahat po ng public fund, according to the law, ay ino-audit iyan at tinitingnan kung saan ginamit, at dapat alam din ng bayan, ng taong bayan, saan iyan napunta, tama?

MS. LOPEZ. Yes, Your Honor.

REP. F. L. CASTRO. Oo, kaya, walang ano, eh... Confidential na nga, kino-confidential pa natin, no, yúong paggasta nito. At sinasabi natin... Kaya gusto nating baguhin iyon, eh. Kung magtutuloy pa rin iyong confidential fund, hindi lang dapat Speaker, hindi lang dapat Senate President, hindi lang dapat agency ang nakakaalam nitong utilization ng confidential funds. At doon tayo nanggagaling, mabago iyong mga ano, 'no, but, of course, ang posisyon namin, i-abolish iyan.

Okay, Mr. Speaker, dahil dito sa sulat na ito, Mr. Speaker... ay, Mr. Chair, sinasabing... sinasabi kasi dito sa sulat na ito na, tama ba, request lang sa COA na huwag pagbigyan iyong aming request for the sub... for the... for the subpoena?

MS. LOPEZ. It was really just a request directed to the Commission on Audit, Your Honor.

REP. F. L. CASTRO. Pero, Mr. Chair, on the second paragraph noong kaniyang letter, iyong letter po ni Attorney Lopez, nakalagay dito, 'no, "We are of the position that the subject subpoena should not be complied with for the following reasons." Ayun, na... na... na-explain mo na iyon. Ano po ba'ng ibig sabihin ng

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"should not"? Are you commanding? Are you demanding the COA na huwag sumunod doon sa *subpoena duces tecum*?

MS. LOPEZ. If, Your Honor, Mr. Chair...

THE CHAIRPERSON. Please continue, Attorney Lopez.

MS. LOPEZ. Yes. If you read the entire... the entirety of the letter, it is really a respectful request sa Commission on Audit. We are not demanding them or instructing them. It is really a respectful request if you read in the entirety.

REP. F. L. CASTRO. Well, yes, oo. Pero 'pag "should" kasi parang demanding na iyon, commanding na iyon para sa akin, 'no. Okay.

MS. LOPEZ. And... yes, and...

REP. F. L. CASTRO. Okay. So, kung...

MS. LOPEZ. Yes, and may I also add...

REP. F. L. CASTRO. Yes. Kung... Kung hindi ito demanding, commanding, parang siga-siga ba iyong Office of the Vice President na utusan iyong OVP... ah, utusan ang COA na hindi kami sundin, ang... ang Congress or House of Representatives?

MS. LOPEZ. Your Honor, Mr. Chair, hindi po siga-siga ang OVP. It is really just a respectful request, Your Honor, for them to consider our position. Like all position papers filed, ito po iyong aming... we feel that these are the issues that we needed to raise so...

REP. F. L. CASTRO. Okay.

MS. LOPEZ. ...which we addressed to the Commission on Audit.

REP. F. L. CASTRO. Okay. So, kanina, Mr. Chair, 'no, binanggit na ng ating mga colleagues iyong mga dahilan, 'no, kung bakit mali ang paniniwala ng Office of the Vice President kung bakit we are holding a... a hearing in aid of legislation dahil sabi nila wala pa daw batas o wala pa daw panukalang batas. So, kaya nga tayo naghi-hear ng... hindi ba, malinaw naman na iyan.

Pero dito sa letter na ito, Mr. Chair, may plano talaga ang Office of the Vice President na mag-interfere doon sa ating conduct ng ating proceedings. Dahil dito, Mr. Chair, at I'm sorry, Attorney Lopez, 'no, dahil ikaw iyong nakapirma dito, and according to our rule, one of the reasons on the undue... is the undue interference in

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the conduct of proceedings. So, may I move, Mr. Chair, na nag-violate si Attorney Lopez dito sa ating proceedings or doon sa ating trabaho due to this Section 11, letter (f), undue interference in the conduct of proceedings, may I move to cite Attorney Lopez in contempt. Mr. Chair. I move.

MS. LOPEZ. Your Honor, Mr. Chair, before you make the ruling...

REP. SUAREZ. Any second?

THE CHAIRPERSON. Any second?

MS. LOPEZ. ...if... if I may be allowed?

THE CHAIRPERSON. Any second to the motion?

VOICE. Second.

REP. SUAREZ. Duly seconded.

THE CHAIRPERSON. Duly seconded. Is there any objection?

MS. LOPEZ. Your Honor...

THE CHAIRPERSON. Hearing none, the motion is carried.

MS. LOPEZ. ...respectfully, it was not the intention of the Office of the Vice President to...

THE CHAIRPERSON. Attorney, you... wait for me to acknowledge you.

MS. LOPEZ. Okay. I'm so... I apologize, Your Honor.

THE CHAIRPERSON. For that, I move for one minute suspension.

Suspension: 7:45 p.m.
Resumption: 8:07 p.m.

THE CHAIRPERSON. Session resumes.

Yes, Attorney Lopez.

MS. LOPEZ. Your Honor, Mr. Chair, I...I would like to seek a reconsideration, Your Honor, of that recent resolution to cite me in contempt, Your Honor. For the record, it was just a respectful request to the Commission on Audit. There was no intention, Your Honor, to demand from them or to order them or to commandeer them into something that they did not want to do. It was really something that we requested

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of the Commission on Audit, and at the end of the day, it is still the Commission on Audit who will decide best, Your Honor.

And on another matter, this is a personal note for the Congressman France. Ma'am, I truly apologize if there was something in that letter that slighted you on a personal note. It was not my intention, Your Honor. I deeply apologize and I wish and I hope you would consider my apology from... This is my personal apology, Ma'am.

And I would like to request to the Members of the Honorable Committee to lift that contempt order or to reconsider and grant my request, Your Honor, not to cite me in contempt.

Maraming salamat, Your Honor, Mr. Chair.

THE CHAIRPERSON. What is the pleasure of Congresswoman France Castro?

REP. F. L. CASTRO. Well, Mr. Chair, on a personal, 'no, the apology is accepted. However, in the totality of the discussion from 10:00 o'clock up to now, nakita natin, Mr. Chair, 'no, very evasive iyong mga sagot ni Attorney Lopez. At saka nakita talaga natin na itong letter na ito... hindi lang itong letter na ito, Mr. Chair, iyong totality talaga ng mga discussions pa kanina, iyon iyong dahilan bakit natin siya gustong... nag-move tayo na to cite in contempt. Kaya, Mr. Chair, I stand by my motion, Mr. Chair.

THE CHAIRPERSON. Okay. Since we have already cited Attorney Lopez in contempt, the question now is the period. So, what is the pleasure of the body? May we know from Congresswoman France Castro?

REP. F. L. CASTRO. Since maximum naman, Mr. Chair, 'no, na pa... na penalty natin dito is 10 days, considering the health, 'no, noong ating resource person, nakita naman natin siya kanina, 'no, and naging matiyaga naman siya din sa pagsagot sa atin, so we will have the next meeting on November 25, Mr. Chair, so, I move na until November 25.

THE CHAIRPERSON. Which is on Monday?

REP. F. L. CASTRO. Yeah.

THE CHAIRPERSON. Okay. Is there any second to the motion?

REP. SUAREZ. Second.

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THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

May we request the Sergeant-at-Arms to arrange a room dito lang po sa vicinity ng House of Representatives. Yes.

So, with that, mayroon pa po...

REP. PADUANO. Chairman, Chairman.

THE CHAIRPERSON. Yes, the Chair would like to recognize Congressman Paduano.

REP. PADUANO. Chairman, ganito lang po. Of course, si Attorney Lopez has asked for the lifting of that contempt order by this Committee.

Attorney, while this Committee has decided to stand by what the majority of these Members... of the Members of the Committee to cite you in contempt, still you have your right...

(MR. JEFFREY C. OVILLA TOOK OVER)

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REP. PADUANO. (Continuing)...you have your right to appeal, 'no, kahit bukas po. That's the right of every resource person or witnesses being cited in contempt.

And, second, I just like to clear that the maximum of 10 days because the violation is... of Section 11, paragraph (f), which is undue interference, and under Section 12, maximum penalty for that is only 10 days, 'no. So, (e) and (f) lang naman iyong 10 days. But, of course, the... malinaw po na iyong ruling will be automatically lifted on Monday, 'no, upon resumption of the hearing.

Now, Mr. Chair, ito lang po, anyway, iyong right ni... rights ni ano, ni Attorney Lopez, malinaw naman po sa kaniya.

Attorney, kasi ganito iyong sitwas... Attorney Sanchez, this will be also...

REP. SUAREZ. Lopez.

REP. A. D. GONZALES. Lopez.

THE CHAIRPERSON. Lopez, Lopez, Lopez.

REP. PADUANO. Lopez and Sanchez... and Sanchez, because you're the most highest... both of you are the most highest official representing OVP. Kasi ganito po, since the travel order or travel... yeah, travel order of those persons, 'no, cited in contempt, particularly the Fajarda spouses, Ms. Acosta, and Ortonio, since the travel or... authority or order will end on Friday—tama? 18 to 22 kasi, eh—will end on Friday, and the next two days, weekend. But on a regular situation... on a regular practices, 'no, in office, Monday, they shaould report, 'di ba? And I hope... And I hope you can bring them, 'no, on Monday, on Monday.

Tapos, iyong question of their plea to lift the contempt order, pag-usapan na lang dito by Monday rin for as long as nandito sila kasi para matapos na ito, and this might be the next... the last hearing kung nandito sila by Monday. Baka kaya na nating tapusin, 'no, iyong... Ang mahalaga kasi dito iyong tatlo, eh... ay, iyong apat, 'no, iyong Fajarda couple and si Tenorio and Acosta.

So, can... can you guarantee us, Attorney Sanchez?

REP. SUAREZ. Lopez.

REP. PADUANO. Sanchez, kasi si Attorney Lopez is nandito, eh, sa House. Can you guarantee this Committee that you can brought them... that you can bring them...

REP. A. D. GONZALES. On Monday.

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REP. PADUANO. ...on Monday?

MS. SANCHEZ. Your Honor, Mr. Chair, I can only try to contact them and relay your message to them, Mr. Chair. But as to guarantee, Mr. Chair, I do not... I am not in a position to guarantee that, Mr. Chair, because, for one, they do not report to me; and, second, I was not the one who issued the travel orders, Mr. Chair.

REP. PADUANO. No, whatever it is, but you are the most senior official representing the OVP in this hearing today. At sabi ko na nga, kung wala tayong itinatago, bakit hindi sila pumunta dito, 'di ba, by Monday? 'Di ba, ganoon lang iyon. At least, pag-usapan na rin iyong ano, contempt order sa kanila, for as long as they will answer all the queries raised by the Members of this Committee. Tapusin na natin ito, Monday. Iyon lang po sana para matapos na itong investigation na ito.

Ako kasi, personally, ang naiwan na lang sa akin iyong BTr na lang, eh, question of... policy question po at saka iyong sa COA. Well, in fact, I... I have already manifested that, just this evening, with regards to BTr and the Public Bonding Law at saka iyong MC 97-002.

So, Attorney, please. Kasi magre-report din iyan supposedly, eh, kasi nasa Central Office sila, dapat magre-report sila, 'di ba?

MS. SANCHEZ. Yes, Mr. Chair, once they report to the office, Mr. Chair, I will inform them, Mr. Chair.

REP. PADUANO. Thank you, Mr. Chairman.

THE CHAIRPERSON. Yes, Congresswoman Luistro.

REP. LUISTRO. Earlier, Mr. Chair... *(Inaudible/Microphone not activated)*

REP. SUAREZ. Bakit walang mic? Walang volume.

REP. LUISTRO. Mr. Chair, earlier, Attorney Lopez likewise mentioned... Mr. Chair, earlier Attorney Lopez made mention about the four DEPED officials who were separated from the agency. I wish to shed light on the circumstances surrounding their separation. And with that, Mr. Chair, I respectfully move that we issue subpoena... no, invitation only to Ablan, Arnuco, Attorney Bradit (Brady), and if we can include, as well, again, Usec Mercado. So moved, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

VOICES. Second. *(Microphone not activated)*

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THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. MANUEL. Mr. Chair.

THE CHAIRPERSON. Honorable Raoul Manuel.

REP. MANUEL. Mr. Chair, in preparation din po para sa susunod nating hearing, dahil bahagi din naman ng objective ng ating mga investigation ay iyong pag-assert ng power of the purse natin sa Congress at paano din natin makikita iyong patterns ng posibleng paggamit at pag-abuso sa confidential funds, given, Mr. Chair, na si Ms. Gina Acosta, bago pa man siya maging bahagi noong OVP, eh, galing din po siyang Davao City LGU kung saan ay nakita din iyong trend, as cited earlier today by our colleague, Rep. Luistro, iyong surge ng confidential funds sa Davao City na iyon din iyong practice na dinala sa Office of the Vice President.

So, Mr. Chair, I... in line with that, I would like to move that we issue a *subpoena duces tecum* sa mga documents in connection sa confidential funds sa Davao City from 2016 to 2022, Mr. Chair. So moved.

REP. BONGALON. Second. *(Microphone not activated)*

REP. F. L. CASTRO. Second.

THE CHAIRPERSON. Hello. Is there any second to the motion?

REP. F. L. CASTRO. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. A. D. GONZALES. Is there any matters?

REP. PADUANO. Mr. Chair.

THE CHAIRPERSON. Pati iyong microphone pagod na po.

Are there any other matters that the Members would like to discuss before I suspend the...

REP. PADUANO. Mr. Chairman, can I ask for a few minutes suspen... ano lang po, mga one or two minutes lang na suspension.

THE CHAIRPERSON. Yes, before I suspend, may sasabihin ka, DS?

REP. SUAREZ. Hindi, suspend muna.

THE CHAIRPERSON. Okay, one-minute suspension is declared by the Chair.

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Service Director
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Suspension: 8:20 p.m.

Resumption: 8:21 p.m.

THE CHAIRPERSON. Session resumes.

REP. SUAREZ. Yeah, thank you very much...

THE CHAIRPERSON. Committee hearing resumes.

REP. SUAREZ. ...Mr. Chair.

Mr. Chair, just a very quick manifestation lang...

THE CHAIRPERSON. Yes, DS...

REP. SUAREZ. ... to the proceedings.

THE CHAIRPERSON. ...Jay Suarez is recognized.

REP. SUAREZ. Of course, I would like to thank the presence of our resource persons, but I would just like to stress the point that was amplified earlier by Congressman France Castro, 'no. The basis is really is the totality of acts, including all the letters questioning the jurisdiction, failure to attend our numerous hearings in the past was because of the basis for the penalty that was issued upon her.

Although, on this note, I just really want to stress na tama po iyong sinabi ni Congressman Paduano na we'd like to have an ending to these hearings already because, I'm sure... Ma'am Camora, Ma'am, may iba ka namang gustong gawin, 'di ba, kaysa sa mag-attend ng Committee hearing? Marami ka ring trabaho sa opisina.

MS. CAMORA. Mr. Chair, iyong NS po ng 2023, hindi ko pa nare-review.

REP. SUAREZ. O, see? That's precisely my point. There's so much work that has to be done, and, yet, we're consuming public taxpayers' money by conducting hearings that can actually be already completed and done for as long as the four other individuals present themselves in this Committee.

So, I implore the Office of the Vice President to comply with the contempt order. Have them come in, let's finish this, and explain, and then we're done, and we can go on with our other duties to the country and to the different agencies and offices that we hold.

So, that's my manifestation, Mr. Chair.

Maraming-maraming salamat.

THE CHAIRPERSON. Thank you.

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Mayroon pa po ba? Kung wala na po, do I hear a motion?

REP. A. D. GONZALES. I move to suspend.

REP. ACOP. I move to suspend.

THE CHAIRPERSON. There's a motion to suspend. Is there any...

VOICES. Second.

THE CHAIRPERSON. ...second? Duly seconded. Is there any objection? Hearing none, the motion is carried.

I move to suspend the hearing until Monday, November 25.

The meeting was suspended at 8:23 p.m.

CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

EMERITA E. AVILA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

JEFFREY C. OVILLA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ERLINDA C. REYES
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

MA. LUISA M. RAMIREZ
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ALVIN ANTHONY F. RABULAN
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

REYNALDO T. SANTOS, JR.
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

HANNA LEILA E. FRANCISCO
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

KAY ANN RITZ D. RAMOS
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

JOAN E. GRUTA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

MARY JENELYN L. VASQUEZ
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

RHUPA D. RAMIL
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ANNEX "P"

HOUSE OF REPRESENTATIVES
LIRMD - LAMG
RECEIVED
Name: Nene
Date and Time: Jan 23, 2025
10:22 AM

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

COMMITTEE ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY

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HOUSE OF REPRESENTATIVES
Legislative Archives and Museum Management Service
Marivic M. Pareja
Service Director
Date: 13 April 2026
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DATE : 09 December 2024

TIME : 10:00 A.M.

VENUE : 2/F People's Center Building
House of Representatives
Batasan Hills, Quezon City

REP. JOEL R. CHUA - **CHAIRPERSON**

ATTY. SHERYL CHRISTINE V. LAGROSAS - ACTING COMMITTEE SECRETARY

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Legislative Archives and Museum Management Service
Marivic M. Pareja
Service Director
Date: 13 April 2026
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The meeting was called to order at 10:23 a.m.

THE CHAIRPERSON. The Committee hearing of the Committee on Good Government and Public Accountability is now called to order.

May I request everyone to please stand up for the invocation to be led by the Honorable Romeo Acop.

REP. ROMEO M. ACOP. Please stand and let's put ourselves in the presence of our good Lord.

In the name of the Father, of the Son, of the Holy Spirit. Amen.

Lord, we pray for our Members of the House of Representatives. Reveal yourself to them and bring them closer to You each in their own unique way, that they may hear Your voice clearly and distinctly. Speak to them of truth, integrity, justice, and fairness. Return them, we pray to the good and lofty aspirations they had when they ran for office in the first place, to help others, to right wrongs, and to make the world a more beautiful place. Give each one of them strength to reach out to those across the aisle and work together.

We boldly pray that You would bind their hearts together in ways they would not have imagined. Let them declare as King David did how good and pleasant it is when God's people live together in unity.

Let them see the good works done by the people of faith across their districts and constituents. Let their eyes be opened to what you are doing through your church and the precious believers across the country. Give them a desire to promote things that honor You not just their own political careers, cuts through the clutter of politics as usual and self-promotion. Let them hear Your voice, speak to them of honor, sacrifice and purity.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE CHAIRPERSON. Please remain standing for the singing of our national anthem.

Singing/Playing of the Philippine national anthem.

THE CHAIRPERSON. Please be seated.

We will now proceed to the calling of the roll. Do I hear a motion to dispense with the calling of the roll?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

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REP. ACOP. May I move that we dispense with the calling of the roll. So moved, Mr. Chair.

VOICE. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

We will now proceed to the next item in our agenda, the acknowledgment of Members. May I request the ComSec to please acknowledge all Members present?

THE ACTING COMMITTEE SECRETARY. Thank you, Chair.

Good morning, Your Honors. May I recognize, Vice Chairperson Romeo M. Acop from the 2nd District of Antipolo City; Honorable Francisco Paolo P. Ortega V, from 1st District of La Union; Honorable Zia Alonto Adiong from the 1st District of Lanao del Sur; Honorable Joseph Stephen "Caraps" S. Paduano from ABANG LINGKOD Party-List; Honorable Rolando M. Valeriano from the 2nd District of Manila; Vice Chairperson Johnny Ty Pimentel from the 2nd District of Surigao del Sur; Honorable Ramon Rodrigo L. Gutierrez from 1RIDER Party-List; and Honorable Jonathan Keith T. Flores, 2nd District of Bukidnon.

That's it for our Members, Your Honor. Thank you.

Your Honor, I would also like to recognize Honorable Raul Angelo "Jil" D. Bongalon from AKO BICOL Party-List. Thank you, Your Honor.

THE CHAIRPERSON. Thank you.

Moving on to the next item in our agenda for today, we have here the minutes of the November 20 and 25, 2024 hearing. Do I hear a motion?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. May I move that we dispense with the reading of the minutes of the previous meetings and consider it as approved. So moved, Mr. Chair.

THE CHAIRPERSON. Is there a second? Duly seconded. Is there any objection? Hearing none, the motion is carried.

The reading of the minutes of the previous meeting is dispensed with and the same are hereby approved.

Matapos ang mga buwan ng masusing pagdinig at talakayan, marami na tayong natuklasan na mga issue at ganun...at gayun ay marami na rin po tayong nalaman ukol sa mga pangangailangan ng ating batas at regulasyon. Malayo na ang narating natin ngunit alam pa rin natin na marami pa tayong kailangang busisiin. Isa

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sa mga pangunahing tungkulin ng Kongreso ay ang bumuo ng mga batas na tunay na maglilingkod sa ating bayan.

Ang ating layunin ay hindi lamang lumikha ng mga batas kundi bumuo ng mga batas na tunay na sumasailalim sa pangangailangan at hangarin ng bawat Pilipino.

Sa bawat hearing tayo ay naglalakbay sa mga sulok ng ating mga batas. Nagiging mata at tainga ng ating mga kababayan. Dito natin natutuklasan ang mga kakulangan ng ating batas. Mga puwang na bilang mga Kongresista ay dapat nating sikapin na punan upang mas mapabuti ang ating sistema at ang kalagayan ng ating bansa.

Bago ako magpatuloy, nais kong ipahayag ang taos-pusong pasasalamat sa lahat ng ating mga resource persons. Ang inyong dedikasyon ay nagbibigay liwanag sa madilim na landas ng katiwalian. Alam namin kung gaano kahirap ang inyong pagdalo sa mahabang pagdinig. Ang inyong presensiya at pagsagot sa mga katanungan ng Committee ay hindi matutumbasan. Aasahan po namin ang inyong patuloy na suporta at pasensiya sa mga susunod na pagdinig ng Committee.

Nagsimula ang lahat ng ito sa isang speech at isang request for investigation. Kung ating aalalahanin nagkaroon ng Privilege Speech No. 379 si Congressman Rolando Valeriano noong September 3, 2024, tungkol sa paggamit ng public funds ng Office of the Vice President mula 2022 hanggang 2024. At ang *motu proprio* na imbestigasyon sa manifestation ni Congresswoman Gerville R. Luistro noong September 2, 2024 patungkol sa iba't ibang issue na nakapaligid sa budget ng Department of Education or DEPED. Kasama na rito ang hindi matagumpay na pagpapadala ng mga computer units sa mga teacher, estudyante, at mga paaralan. Kaya't unang sinimulan namin ang pagtingin sa regular funds ng Pangalawang Pangulo sa parehong OVP at DEPED.

Para sa OVP, tiningnan natin ang mga marangyang satellite offices. Kung ating aalalahanin nakakabahala na halos kalahati ng budget ng OVP para sa 2023 at 2024 ay napunta sa pagtatayo at pagpapanatili ng mga satellite offices nito sa buong bansa.

Ang Tanggapan ng Vice President Sara Duterte ay mayroon ding napakalaking budget na 2.3 billion noong taong 2023. At dahil sa mga hindi maipaliwanag na gastos noong 2024 ay kinailangang bawasan ng budget ng kanyang opisina sa 733.2 million. Ngunit para sa taong 2025...

(MS. RIALYN G. REYES TOOK OVER)

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THE CHAIRPERSON. (Continuing)...taong 2025, muli siyang humiling, nabigyan siya ng 2.37 billion pesos. Tungkol naman sa DEPED, sa panahon na siya ay Secretary, lumitaw ang mga pulang bandila sa procurement ng mga laptop para sa DEPED computerization program tulad ng rig bidding at pagsasabuwatan ng mga bidders. Siya rin ay hindi nakapaghatid ng laptop na nagkakahalaga ng 9 billion para sa mga programa ng e-learning ng DEPED na tila isang napakalaking pagkukulang sa panahon na lumalalang pangangailangan para sa mga kagamitan ng edukasyon.

Ngunit sa ating pagdinig at pagsusuri ng budget utilization ng DEPED at OVP, paulit-ulit lumilitaw at pinaka nakakabahala ang mga isyu patungkol sa confidential funds.

Napakalaking halaga po ang perang ito. Sa OVP, mula 4th quarter ng 2022 hanggang 3rd quarter ng 2023, mayroong nagastos na 500 million worth of confidential funds. Habang sa DEPED naman, mula 1st quarter hanggang 3rd quarter ng 2023 ay may 112.5 million pesos naman. Sumatutal ay may 612.5 million pesos, higit kalahating bilyon ang hinawakang confidential funds ng ating Bise Presidente.

Natural, bilang mga Mambabatas na may mandatong masiguro na nagagamit ng wasto ang pera ng taong-bayan, paulit-ulit rin naming naitatanong saan napunta ang confidential funds?

Sa ating pagsusuri, lumitaw ang mga sumusunod na kakulangan o gaps sa ating batas. Number one, ang halaga ng fidelity bond para sa special disbursing officers or SDO ay napakababa kumpara sa pondo na kanilang hawak. Tulad ni SDO Gina Acosta na may approved amount of bond na 8 million pesos pero ang kanyang amount of accountability ay 500 million pesos. Si SDO Edward Fajarda naman ay may approved amount of bond na 4 million pesos pero ang kanyang amount of accountability ay 50 million pesos. Pagpapatibay ng mga patakaran ng COA tungkol sa budget at mga technical resources.

Pangatlo, pinaka nakakabahala rin ay tila walang maayos na sistema o paraan upang masiguro o mai-check o audit ng COA na nasa wasto ang paggasta ng mga confidential funds.

At ika-apat, malinaw na mga alituntunin sa mga detalye na dapat isama sa physical and financial plan na dapat ding suriin ng mga ahensya ng pambansang gobyerno at hindi lamang sa Department of Budget and Management. Gayundin, ang kinakailangan ng pagsusumiti ng mas detalyadong ulat under oath ng mga accomplishment and liquidation reports kasabay na ang mga ebidensya ng accomplishment na ito.

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Sa terminong confidential ay tila ginagamit bilang isang panakip upang itago ang katotohanan mula sa atin. Para sa kaalaman ng lahat, ang confidential funds ay hindi discretionary allowance o funds ng isang ahensya. Hindi siya secret funds.

Siguro po panahon na upang harapin natin ang katotohanan na hindi lahat ng mga nahalal o nalalagay sa posisyon sa gobyerno ay puwedeng basta-bastang pagkatiwalaan. Kailangan pa rin ng safeguards pati sa confidential funds sapagkat hindi maiiwasan na may mga nagtatangkang gamitin ang pagka-confidential nito upang itago ang impormasyon at pag-aabuso sa tiwala ng taumbayan. Ginagamit nila ang salitang confidential upang magbigay sa atin ng pekeng ilusyon na kahit ito'y lihim, ang mga pondo ay ginastos ng tama. Ngunit bakit kailangan pa itong itago sa mga taong tunay na nagpondo nito? Ang mamamayang Pilipino ay may karapatan malaman kung saan napunta ang kanilang pinaghirapang pera. Para sa akin, kapag nagamit na ang confidential funds para sa kanilang layunin, wala nang dahilan upang hindi maging bukas at maging transparent. Walang mawawala kung sila'y mag-uulat kung paano ginastos ang mga pondo dahil tapos na rin naman na iyong confidential operations kung saan ito pinaggamitan.

Sa ngayon, naghahanda na po kami ng dalawang batas upang masolusyonan ang ilan sa mga pagkukulang na natuklasan natin. Una, An Act Regulating the Allocation and Utilization of Confidential and Intelligence Funds, Imposing Penalties for Misuse and Misappropriation o ang Confidential and Intelligence Funds Act.

Pangalawa, an Act Regulating Special Disbursing Officers and Imposing Penalties for Misappropriation o ang Act Regulating SDOs.

Sa Confidential and Intelligence Funds Act, layunin naming tugunan ang tila maluwag na alituntunin batay sa Joint Circular No. 2015-01.

Sa mga hearing, nakita natin na pinapayagan ang mga resibo na may pirma lamang at hindi mabasang sulat kamay mula sa mga hindi nakikilalang tao bilang patunay ng liquidation.

Panahon na upang magpatupad ng mas mahigpit na mga alituntunin sa paggamit ng mga confidential funds para sa mga confidential na gastos. Bagama't mahalaga ang mga confidential funds para sa pambansang seguridad, dapat itong balansihin sa tungkulin ng gobyerno na protektahan ang paggamit ng pampublikong pondo at ipatupad ang kinakailangang pagbabago sa batas, kaya taimtim naming hinihiling ang pag-apruba ng panukalang batas na ito.

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Samantalang An Act Regulating Special Disbursing Officers and Imposing Penalties for Misappropriation, layunin nitong palakasin ang proteksyon ng pera ng bayan dahil ito ay madaling maging target ng mga head of agencies at special disbursing officers na abusuhin ang paglabas ng pondo. Sa milyong-milyong halaga at bilyong-bilyon na walang wastong liquidation at walang takot sa parusa.

Muli rin naming bibisitahin ang mga patakaran ukol sa fidelity bonds at ang inaprubahang halaga ng bond ng mga HOAs at SDOs dahil nakita namin...nakita naman natin kung gaano kalaki ang pagkakaiba nito na tila nawawala na ang kabuluhan, ang layunin ng pagpapataw ng bond mula sa simula.

Bagama't marami pa ring katanungan tungkol sa confidential funds, sapat na ang ating natuklasan para magampanan ang ating mandato na gumawa ng batas para sa ikabubuti ng ating bansa. Ngunit hindi tayo titigil sa ating pagi-imbestiga sapagkat ang confidential fund ay isang bahagi na lamang ng budget ng OVP at ng DEPED. Marami pa tayong kailangang busisiin at suriin upang matukoy kung ano pang aspeto ng paggamit ng pera ng bayan ang kailangang punan ng batas.

At para po sa kaalaman ng lahat, ang atin pong request sa PSA or sa Philippine Statistics Authority ukol sa pangalang Mary Grace Piattos ay atin pong na-receive. Ang kanilang tugon dito dated November 25, 2024, at dito sinasabi nila na base sa kanilang record ay walang ipinanganak na Mary Grace Piattos ang pangalan.

Alinsunod dito, tayo po ay sumulat upang isumite ang 677 pang pangalan na nakalagay sa acknowledgment receipt ng DEPED kung saan tayo po ay binigyan ng tugon ng Philippine Statistics Office dated December 8, 2024. At dito, kanila pong sinasabi...

(MR. REUBEN JAY D. INOCENCIO TOOK OVER)

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THE CHAIRPERSON. (Continuing)...kanila pong sinasabi na out of 677 individuals, 405 ay walang birth certificate o walang record sa birth certificate, o puwede nating sabihin na nonexistent. So, nandirito po ang record.

Muli, maraming salamat sa inyong oras at sama-sama tayong magsikap para sa mas mabubuting batas para sa bayan.

I will now turn over the floor to my colleagues who have expressed interest in making a presentation to the public.

THE ACTING COMMITTEE SECRETARY. Your Honor, may I please be recognized for recognition...

THE CHAIRPERSON. Yes, ComSec, you're recognized.

THE ACTING COMMITTEE SECRETARY. Yes. Thank you.

May I please recognize Honorable Raoul Danniel A. Manuel from KABATAAN Party List, Honorable Amparo Maria J. Zamora from the 2nd District of Taguig, and Senior Vice Chairperson, Honorable Bienvenido M. Abante, Jr. from the 6th District of Manila.

Thank you, Your Honor.

THE CHAIRPERSON. Thank you.

I believe we'll begin with Congressman Acop. Congressman Acop...

REP. ACOP. Thank you.

THE CHAIRPERSON. ...you're recognized.

REP. ACOP. Yes. Thank you very much, Mr. Chair.

Magandang umaga po sa ating lahat, sa mga kapwa ko Miyembro ng Committee on Good Government and Public Accountability at saka sa publiko na nakasubaybay sa ating mga hearings.

Isa po sa pinagmulan ng legislative inquiry na ito ay ang Privilege Speech ni Honorable Rolando Valeriano noong ika-3 ng September 2024, delivered before the Plenary Session of the House of Representatives. Simple lang po ang pinaghuhugutan ng Privilege Speech na ito—transparency and accountability on the expenditure of public funds.

Sa pamamagitan ng mga hearings ng ating Committee ay ating ginampanan ang tungkulin na alamin ang mga kakulangan sa ating batas at busisiin ang paggastos ng mga nakaraang ipinagkatiwalaang pondo ng bayan, upang masigurado ang transparency at accountability ng ating pamunuan.

Uulitin ko po iyong sinabi ni Honorable Roland Valeriano: "Tungkulin natin dito sa Kongreso na busisiin ang panukalang budget ng Ehekutibo at ang paggastos

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ng mga nakaraang pinagkatiwalaang pondo ng bayan. Hindi pera ng Pangalawang Pangulo ang Office of the Vice President budget para sa taong 2022, 2023, 2024, at 2025. Pondo ng bayan iyan. Kaya mayroong budget hearings ay para malaman ng madlang people kung paano ginagastos ng mga opisina ng gobyerno ang pondo ng bayan na ipinagkatiwala sa kanila. Ito po ay ayon kay Honorable Roland Valeriano.

Nagsimula nga po ang hearings natin sa pagbusisi sa paggamit ng mga nakaraang budget ng mga opisinang pinamumunuan ng Office of the Vice President. Ang pinakamalaking parte ng pondo sa socioeconomic program na umaabot ng humigit-kumulang 2.2 billion pesos for 2023 at 1.75 billion for Fiscal Year 2024, pero hindi po malinaw ang mga benepisyaryo. Ayon po sa Office of the Vice President, ang mga components ng programang ito ay ang mga sumusunod: Libreng Sakay, PagbaBAGo Campaign, OVP Food Trucks, livelihood programs like Mag Negosyo Ta 'Day and Peace 911, Medical Assistance, Burial Assistance and Public Assistance. May listahan silang binibigay sa COA ukol sa mga benepisyaryo ng mga programang ito, pero kapansin-pansin po sa mga accomplishment reports o ARs na sinabmit (*submit*) nila para sa Confidential Funds na may tila hiwalay pa na pamimigay ng medical and food aid na kinukuha raw sa Confidential Funds. Halimbawa, noong February 6 to March 29, 2023, halagang 42 million in medical and food aid was given using Confidential Funds, while another 40 million noong April 25 to June 30, 2023, ang pinamigay, kuno, gamit ang Confidential Funds na hindi dumadaan sa regular na proseso ng procurement at aid distribution.

Kinalaunan, ating natuklasan ang nakababahalang paglustay ng Confidential Funds ng Office of the Vice President at pati na rin ang Department of Education. Nakita natin na nababalot ng secrecy and lack of transparency ang paghawak ng Office of the Vice President at ng Department of Education noong Sekretarya pa nito si Vice President Sara Duterte. Ang Confidential Funds na inilagak sa kanila noong taong 2022 at 2023 for OVP at 2023 for Department of Education. May mga resource persons tayo noon na hindi sumsisipot o sinasabing wala silang personal involvement o participation. Mayroon ding ayaw naman mag-take ng oath upang magsasabi ng pawang katotohanan lamang sa Komite na ito. Hindi exaggeration na sabihin na tayo ay dumaan sa butas ng karayom at napakadaming roadblocks para umabot tayo sa puntong ito. Ngunit unti-unti, sa pamamagitan ng ating masusi at pursigidong pagtatanong at sa paghahanap ng mga facts at ebidensiya ay ating natanggal ang secrecy na nagkukubli at nagtatago sa katotohanan sa kung ano ba talaga ang nangyari at kung saan o kanino napunta ang pondo ng bayan.

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Ito po ang money trail ng Confidential Funds ng OVP at DEPED. Based on the testimonies of Special Disbursing Officers, Madam Gina F. Acosta ng OVP at ni Ginoong Edward Fajarda ng DEPED, the money trail of the Confidential Funds for both agencies looked exactly the same.

First, after finishing all internal financial processes and documentations and securing all required signatories in the disbursement vouchers, including Vice President Sara Duterte herself, the SDOs received the Land Bank checks representing the Confidential Funds for each quarter. Malalaking halaga po ang mga ito. Sa OVP pa lang, nakakuha sila ng 125 million bawat quarter simula noong fourth quarter of 2022 hanggang third quarter of 2023. Sa DEPED naman, 37.5 million kada quarter, for three quarters, or a total of 112.5 million, sumatotal, 612.5 million po lahat. The SDOs themselves are the payees in these quarterly checks. The next step was for the SDOs to encash the Confidential Funds checks. Sabi po ni SDO Edward Fajarda, pina-encash po niya ang bawat isa noong tatlong 37.5 million checks sa Land Bank DECS Branch, cold cash. Nilalagay sa dalawang duffel bags at isang backpack ang cash. May kasama raw siya noong tatlong beses na iyon na kilala niya lamang bilang Allan. Matapos mag-encash, dinala niya ang cash sa kaniyang opisina sa DEPED. Sabi naman ni SDO Gina Acosta, para sa OVP Confidential Funds worth 125 million per quarter, pinapa-encash niya ang bawat tseke sa Land Bank Shaw Boulevard Branch, kasama niya si Assistant Chief of Staff Lemuel Ortonio at dalawang hindi mapangalanang driver sa pagpapa-encash ng bawat tseke. Apat na beses, inilalagay raw nila ang 125 million cash sa apat na duffel bags. Parehong sinabi ni Acosta at Ortonio na mula sa Land Bank ay pumunta na sila sa opisina ni Gi…ni Madam Gina Acosta…

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REP. ACOP. (Continuing)...Madam Gina Acosta sa Office of the Vice President. As if it was all planned and orchestrated or part of a common design, both SDO Acosta and Fajarda said that the Vice President directly instructed them to hand over the cash representing the Confidential Funds to certain security officers.

For DEPED, may itinalaga daw si Colonel Raymund Lachica, ang head ng Vice Presidential Security and Protection Group, ng isang security officer na nagngangalang Colonel Dennis Nolasco kung saan weekly nagbibigay ng pondo si SDO Fajarda amounting to 4 to 6 million per week.

For the Office of the Vice President, si Colonel Lachica raw mismo ang security officer na buong pinag-aabutan ni SDO Acosta ng 125 million every quarter. Matapos diumano ibigay ng mga SDOs ang pera sa mga security officers na sina Colonel Nolasco at Colonel Lachica, wala na raw silang partisipasyon sa actual disbursement ng confidential funds. Wala silang ibang basehan sa kung ano'ng nangyari sa pondo kundi sa pamamagitan ng mga accomplishment reports na kailangang ihanda at isumite para sa liquidation ng Confidential Funds. Malinaw po sa kuwento ng mga SDOs na hindi sila ang nag-disburse o nagbayad ng payments to the informants and other supposed payees ng Confidential Funds. Naturalmente, hindi rin sila ang gumagawa ng accomplishment reports kasi wala silang kaalaman kung papaano nagasta ang pera ng bayan. Ito po ang parehong sinabi sa hearing nina SDO Acosta at SDO Fajarda. Sabi ni...sabi, "Wala po akong alam sa pag implement po ng confidential activities dahil po hindi ko po iyan in line sa aking pinag-aralan. Your Honor, hindi po kasi ako ang expert diyan, si Colonel Nolasco po. Siya po kasi ang gumawa niyan." Ito po iyong mga sagot ng ating mga resource persons noong mga hearing.

It is also being made to appear that the acknowledgment receipts or the documentary evidence of payments o tawag natin ay debts, supposedly, also came from these security officers. Hindi po malinaw para sa akin ang kuwento nila kung kailan inaabot sa kanila ng security officers ang acknowledgment receipts. Pero ang malinaw po sa mga AOMs ng COA na hindi sinabmit *(submit)* ang mga acknowledgment receipts kasabay ng kanilang mga liquidation reports. Mukhang parati na lang afterthought ang pag-submit ng acknowledgment receipts sa COA. Ito ay sinabmit *(submit)* kasabay ng mga letter response na pirmado ni Atty. Poa para sa DEPED at para sa OVP nina Atty. Lopez and Ginoong Ontorio. Sila ang nag-submit ng acknowledgment receipts sa COA.

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Isa pong obserbasyon sa mga revelations na ito ng mga SDOs at mga ibang opisyal at dating opisyal ng DEPED at OVP, tila ba sinasadya tayong nililito, nililigaw at pinapagulo ang narrative sa kung ano ba talaga ang nangyari sa OVP at DEPED Confidential Funds. Kung inyong matatandaan, noong una ay sinabi nilang tanging ang mga SDOs lamang ang may kaalaman sa disbursement ng confidential funds. Ngunit ng magpakita na ang mga SDOs sa Committee hearings at tinanong sila, wala din daw silang alam sa mga detalye patungkol dito sa mga Confidential Funds. Lahat po sila ay nagtuturuan. Pero sino nga ba ang pumirma sa mga accomplishment report at certification? Ang mga SDOs at si Vice President Sara Duterte.

Kung totoo ang sinabi nina SDO Acosta at Fajarda, malinaw na ito ay paglabag sa Joint Circular 2015-01 o ang guidelines sa paggamit at pag-audit ng Confidential at Intelligence Funds na tila ginamit lamang sila bilang middlemen o pass-through ng pondo. Nanatiling misteryoso at tago kung saan talaga napunta ang Confidential Funds. Isang butas sa guidelines na dapat tugunan sa pamamagitan ng batas. Mula sa Davao City na lumaki nang lumaki noong siya ay mayor hanggang sa mas malalaking pondo nang makasama...mapasakamay niya bilang Vice President at DEPED Secretary. Nakakapagtaka rin ang obsession ni Vice President Sara sa Confidential Funds. Marahil ito ay dahil sa kalakip ng opacity at antas ng secrecy sa pag-disburse ng mga Confidential Funds na tila nagiging daan upang ito ay abusuhin ng walang accountability. At pagbalewala sa mga alintuning ito ay isang paglapastangan sa tiwala ng publiko at sa prinsipyo ng pananagutan na dapat sinusunod ng bawat institusyon ng pamahalaan, lalong-lalo na sa Opisina ng Pangalawang Pangulo.

Let me remind the public of what is at stake here. It could constitute graft and corruption if public funds are misused or misappropriated or, worse, if funds are diverted to personal use or benefit. And given the amount we're talking about here, this maybe under the crime of plunder. We leave it to the investigative bodies of the government to investigate the crimes committed here. Meanwhile, our task now is to legislate measures that will leave no room for pilferage of public funds.

Maraming-maraming salamat po. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Acop.

Next, the Chair would like to recognize the Honorable Rodge Gutierrez.

REP. GUTIERREZ. Thank you, Mr. Chair.

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Magandang umaga po sa ating lahat. Just taking off from where Congressman Acop started. But before that I would like to start by saying that this has been one of the most fruitful Committee hearings that I had the pleasure in joining. Throughout the course of seven hearings, we have brought detail to some long health suspicions the Confidential Funds of the OVP and DEPED that had been abused or malversed or maybe even taken.

By abuse, I mean that the relevant officers of the OVP and the DEPED took advantage of gaps in and in fact violated Joint Circular 2015-001. Mahirap po na problema ito. Pera po ng taong-bayan ang pinag-uusapan dito. And unless we are aware of these gaps and violations, the legal regime cannot and will not change for the better. Today, I would like to go through some of these violations, as mentioned by Congressman Acop.

The SDO has a sole mandate to disburse the CF, the Confidential Funds, and to prepare and submit the liquidation reports of cash advances with the relevant supporting documentation as prescribed under the joint circular. Siya lamang. On the other hand, a security officer is a personnel who has been officially designated as such to have access to security information. Klaro po ang kani-kanilang mga responsibilidad. Ang SDO po ang sa disbursement o ang sa pagbibigay ng pera; ang SO naman, iyong security officer naman ay binibigyan lamang ng access sa impormasyon.

To elaborate and para po sa kaalaman ng lahat, under the joint circular, the SDO is personally tasked with the disbursement and liquidation of Confidential Funds. Ang SDO ang tagabigay ng pera. Siya lang under the joint circular. Natural lang po ito dahil ang SDO ang isa sa mga accountable officers or those public officers personally accountable when something goes wrong with respect to the utilization or disbursement of these Confidential Funds. And this is precisely the reason why kinakailangang may fidelity bond ang SDO. The fidelity bond is there so that if anything happens to the fund while it is in the custody of the SDO, sigurado na may maibabalik pa rin na pondo to the government through the bond and for the security of the taxpayers. Iyong head of agency is also personally tasked to oversee the agency-wide use and disposition of Confidential Funds. Siya rin ang nag-a-appoint ng SDO. Because of the functions that burden the head of agency, the head of agency is also an accountable officer.

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Samakatuwid, iyong SDO po iyong inaatasan ng batas natin na humawak at siguraduhing mapunta...

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REP. GUTIERREZ. (Continuing)...siguraduhing mapunta ang Confidential Funds sa naaayon na confidential expenses allowed under the joint circular. Hindi niya puwedeng i-delegate ang custody ng Confidential Funds dahil siya ang mananagot rito. Hindi niya puwedeng iutos sa iba. Hindi puwedeng ibigay sa security officers.

In the case of SDO Edward Fajarda of the DEPED, while he has admitted to having encashed the three checks amounting to 37.5 million pesos each, he has also claimed that he did not know, or had no way of knowing, how the funds were to be utilized after handing them over to the designated security officer. Mr. Fajarda stated that since it was Colonel Nolasco who is the expert in confidential operations, it was Colonel Nolasco who supposedly made the disbursements of the Confidential Funds in different localities. It begs the question, "Sino po ba ang totoong Special Disbursing Officer?" Kung ang nag-iisang taong pinagdi-disburse ng SDO ay si Colonel Nolasco, kung pagka-encash ng tseke ay agaran naman itong inaabot sa security officer. Whatever happened to Mr. Fajarda, being an accountable officer under the joint circular, kung wala siyang slightest idea kung saan napupunta o kanino ibinibigay ang Confidential Funds? Is his role in this entire process simply ministerial? We beg to disagree. Mr. Fajarda is not just a simple bag man that would withdraw the funds and turn over to the security officer. His role, as material as it is, carries with it discretion, discretion to ensure the accuracy of the data in the liquidation reports and to be accountable for the disbursements from the cash advances of Confidential Funds. But Mr. Fajarda admitted that he merely relied on the documents evidencing payments submitted by the security officer. His failure to exercise the standard care and diligence required of and inherent in his function is the height of irresponsibility and is in clear violation of his mandate under the joint circular. At bakit po nangyari ito? Dahil ito raw ang sabi ng Head of Agency ng DEPED noon na si VP Sara na ibigay ang pera sa security officer.

Same case po tayo with SDO Gina Acosta of the OVP. Miss Acosta also admitted that the utilization and payment of the Confidential Funds involves her handing over the money to a security officer per the instruction of no less and Head of the Agency, Vice President Duterte. SDO Acosta also supposedly never knew where the security officer took or expended the Confidential Funds. She has only testified on the basis of the information supposedly fed to her without certainty as to who are the actual recipients or payees of the Confidential Funds whether they are even actual persons.

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In the past hearings, it has always been made to appear that Miss Acosta for OVP and Mr. Fajarda for DEPED would have the most knowledge as the SDOs of the Confidential Funds. And we have always been made to believe that it will be the two of them who would be able to shed light on the discrepancies flagged by the COA. And the other erroneous and false matters po nadidiskubre po namin through these hearings. Unfortunately, the SDOs themselves violated their own accountability, their own certifications and the liquidation report. With them, disclaiming knowledge kung saan or kanino ba talaga pumunta and bawat sentimo ng Confidential Funds, they violated a particular responsibility under Item 4.15.01 of the joint circular where they are supposed to certify at least two things: na sila ang accountable for the disbursements of Confidential Funds; and that the expenses were incurred in connection with the agency's confidential activities.

How can they faithfully attest to this kung binibigay lang din naman nila iyong Confidential Funds sa ibang tao or empleyado? Basta mangako din sa kanya iyong empleyado, halimbawa, na gagamitin iyong pera pambayad sa informer o pang-conduct ng surveillance activities.

Now, let's move on to another reeling discovery na atin din pong na-uncover throughout the hearings. And this is with respect to the certifications issued by officers of the AFP submitted by the DEPED through the COA in support of the DEPED's utilization of Confidential Funds for payment of rewards to informers. Matatandaang mahigit 15 million pesos of the Confidential Funds pending of the DEPED went to payment of reward to informers. This expense item has been flagged by the COA in view of the DEPED's failure to provide sufficient supporting documentation on the success of the agency's own information gathering and surveillance activities. Para po ipaalala sa nakakarami, under the joint circular, one of the conditions that must be met in order for an agency or office to use Confidential Funds, to pay rewards to informers, is supporting documentation evidencing the success of the information gathering and/or surveillance activities on account of the information provided by the informer.

Based on the respective accomplishment reports and the acknowledgment receipts submitted by the OVP and the DEPED, the total amounts utilized for the payment of reward to informers is 96 million 980 thousand pesos for the OVP covering the period from the fourth quarter of 2022 until the third quarter of 2023; and 21 million 921 thousand pesos for DEPED from the first to third quarters of 2023. This is a total of 118 million 901 thousand pesos. Napakarami po sanang classroom,

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tuition, suweldo ng guro, at iba pa ang puwedeng paggamitan nito. I stress also that this amount of money is just for supposed payment of rewards. It does not include all other things for which Confidential Funds were spent for.

When inquired about the certifications which the DEPED submitted to the COA, former Undersecretary and Chief of Staff of the Office of the Secretary of DEPED, Mr. Michael Poa, admitted to having asked Retired Major General Nolasco, Mempin to secure said certifications from the AFP as a means to justify the use of Confidential Funds despite DEPED not being directly involved in AFP-led activities. This was confirmed by Former Education Undersecretary Major General Mempin who stated on record that the DEPED has not released any single centavo to the conduct of Youth Leadership Summits.

The AFP officers, themselves, admitted that they did not receive any funding from the DEPED. The summits were actually funded by the budget of the Philippine Army and from funds of participating local government units as conferred by Colonel Buransing. Lieutenant Colonel Panopio also supported Colonel Buransing's statements that they were not aware that certifications issued by them would be used to justify the DEPED's Confidential Fund spending for informants.

We eventually came to know that these certifications issued by Army Civil Military Operations Staff Officers: Colonel Buransing, Lieutenant Colonel Sangdaan, Jr. and Colonel Magtanggol Panopio for the Youth Leadership Summits and Information Education campaigns in 2023, only showed that the fact of these events were successfully conducted at the different barangays in their areas of responsibility. This is yet another clear derogation of the joint circular. DEPED misleadingly made it appear that the agency used Confidential Funds for youth training programs when in truth it was the AFP and the LGUs which actually shouldered the expenses from their respective Confidential Fund allocations. There was never any correlation between DEPED's supposed surveillance or information gathering activities with the AFP's successful conduct of its summits and campaigns in partnership with the LGUs. The DEPED took advantage of the AFP, rode in the coattails of the AFP, and misled the AFP into issuing certifications for a project that is not the DEPED's to begin with. And who for good...who could forget the many anomalies we were able to uncover with respect to the acknowledgment receipts or documents evidencing payment submitted by the DEPED and the OVP to the COA.

With the select few that we were able to highlight throughout the hearings, ay marami po talagang lumutang na discrepancies na hindi dapat ipagsawalang-bahala.

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We were able to trace the disbursements by counter-checking the dates indicated in the ARs. And we came to know through these hearing that DEPED SDO was able to complete a job that we believe is humanly impossible. An examination of the acknowledgment receipts submitted by the DEPED for the first quarter of 2023 revealed that Mr. Fajarda made disbursements for 38 consecutive days. And for 35—out of those 38 days—payouts were made to at least 10 to 26 people per day and for various purposes, for example, reward payment, incentives, supplies, rentals, travelling expenses, *et cetera*...

This is something that could not be easily missed because the acknowledgment receipts—at least for the DEPED—have fields were the payees indicate the date they received the payment and their own addresses or location.

We will recall that on February 21, 2023, or the very next day after SDO Fajarda encashed a 37.5 million peso check with the Land Bank, the SDO made seven disbursements already in seven different locations as evidenced by the acknowledgment receipts recorded for that date. Hindi kapani-paniwala for one person designated as the SDO to have made disbursements in Malolos, Bulacan; Danao, Cebu; San Francisco, Agusan del Sur; Makati City; Negros Occidental; Negros Oriental; and Davao City, all in one day...

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REP. GUTIERREZ. (Continuing)...all in one day. Worse, we found other examples of DEPED acknowledgment receipts of the same date but varied widely in terms of the localities where the payments were made.

Plotting these on the Philippine map, within a single day on March 15, 2023, there were 26 disbursements which were made across 24 localities from Batanes to Davao del Sur with total confidential expenses amounting to 1 million 870 thousand pesos.

On the ninth of March 2023, the DEPED supposedly through its SDO was able to make 20 disbursements over 18 localities all over the Philippines with disbursements of confidential funds amounting to more than 1 million 400 thousand pesos.

And lastly, on February 25, 2023, there were 21 disbursements across 18 localities all over the country amounting to almost 1,400,000 pesos.

All three examples reinforce our point that no amount of imagination can make us believe that these disbursements were made to these people at these locations and at these dates. It is physically impossible. Even assuming that the DEPED has its satellite offices and field personnel all over the country, we should always go back to the joint circular as our bible. The function of disbursing and of being accountable for the cash advances of the Confidential Funds is lodged with the SDO and the SDO alone. Delegating this function to any other officer or employee would run counter to the expressed guidelines of the joint circular and the safeguards that it entails.

Unsurprisingly, the same discrepancies have been observed in the OVP acknowledgment receipts, particularly for the payouts and disbursements for the fourth quarter of 2022. For everyone's recollection, this period refers to the 11 days when the OVP was able to use up 125 million pesos worth of confidential funds. And, markably, there were at least three days out of those 11 days that the payouts reached a hundred recipients.

For instance, noon pong December 23, 2022, based on the records and the ARs submitted by the OVP to the COA, SDO Gina Acosta was able to disburse more than 15 million pesos to 103 distinct individuals for various purposes. Tila po ba naka-hyperdrive na ang naging pag-disburse ni SD Acosta para siguruhing ma-expand...ma-spend ng allocated Confidential Fund sa OVP sa mga nalalabing araw ng 2022.

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Notably, the following day or Christmas Eve of 2022, these disbursements continued based on the 40 acknowledgment receipts from the OVP on this date. It spent a total of 5 million 429 thousand pesos on supposed confidential activities.

Grabe talaga itong OVP, nonstop kahit magpapasko na. Whoever disbursed more than five million pesos truly embodied the spirit of generosity during the holidays. If it was actually true, this amount was disbursed for confidential expenses.

Lastly, we found acknowledgment receipts that the OVP reported and submitted for the fourth quarter of 2022. But mere dates outside the period for which they are intended to be used as proof, na-observe po namin how the OVP fourth quarter acknowledgment receipts were dated December 2023, when they have been supposedly paid out to and received by the recipients in 2022. Understandably, a person can instinctively write the past year in documents when welcoming a new year. But we find it very eccentric po, kasi for a person writing a date in 2022 and mistakenly indicating the immediately succeeding year, 2023, wala po yata ibang reason dito except that the acknowledgment receipts were indeed executed in 2023 and not in 2022, contrary to what the OVP is trying to establish.

Sa dami po nang na-discover natin in the past hearings na sinubaybayan po ng publiko, we uncovered irregularities and deficiencies in the disbursements and reporting of the confidential funds allocated to the OVP and to the DEPED. This has been an extremely insightful exercise of our mandate as we were able to examine the sufficiency of our current legislation and how this current legislation safeguards us from potential misuse and abuse of public funds, as well as the potential malfeasance, misfeasance, and nonfeasance in the office...by officers and employees of government.

Our task does not end here. It is now our duty to craft legislation that will protect the public coffers and ensure that they are not used and abused by public servants for their personal agenda.

With that, Mr. Chair, I conclude my part of the hearing.

Thank you, po.

THE CHAIRPERSON. Thank you, Congressman Gutierrez.

Next is Congressman Zia Alonzo Adiong.

REP. ZIA ALONTO ADIONG. Thank you, Mr. Chairman. *Bismillahirrahmanirrahim Assalamualaikum warahmatullahi ta'ala wabarakatuh,*

Mr. Chairman and fellow Members of this Honorable Committee, to my fellow Filipinos, who are watching right now, what we have witnessed in the past seven . .

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hearings before this Committee on Good Government and Public Accountability of the House of Representatives has left us with more questions than answers. Ang mga tanong po natin dito hindi nakukuha ang kaukulang sagot bagkus nanganganak pa ng maraming tanong. But one thing, Mr. Chairman, is extremely clear to this Representation. Tayo po ay na-scam sa pamamagitan ng libo-libong acknowledgment receipts na basta-basta lamang dinoktor or gawa-gawa lamang.

Mr. Chair, almost 5,000 acknowledgment receipts of dubious origin kapalit ang 612.5 million pesos na Confidential Funds na basta-basta lang naglaho mula sa kaban ng bayan sa ilalim ng pamumuno ng ating Bise Presidente.

Mr. Chair, 612 million 500 thousand pesos o mahigit kalahating bilyon. Mr. Chair, ito po ang pondo ng bayan na nawala or hindi ma-explain. Mula lamang December 2022 hanggang September 2023. Siyam na buwan lamang po, Mr. Chairman.

Sa ganitong halaga, halos budget na po ng isang buong ahensya para sa isang buong taon ang pinag-uusapan po dito. Pinaglaruan ba ho tayo? Niloko ho ba tayo? O pinaglaruan po ang publiko pagdating sa kanilang pondo.

Mr. Chairman, sa Item 4.12 ng joint circular, ang requirement po sa government agencies na nagdi-disburse ng Confidential Funds is to submit documentary evidence of payment upon the liquidation at the end of the period for which it was allocated. These documents, Mr. Chairman, are to be submitted to the Intelligence and Confidential Fund Audit Unit of the Commission on Audit who shall then audit these documents. In fact, upon the submission of the liquidation report to ICFAU, a certification signed by the head of agency and its Special Disbursement Officer or SDO stating that the expenses were incurred in connection with the agency's confidential expenses and activities with supporting documents and documentary evidence of payment is needed, Mr. Chairman.

As the name suggests, evidence, ebidensiya, is supposed to prove a fact that the confidential funds were utilized for confidential expenses. Ang hindi dapat basta-basta lang ibinubulsa at hindi dapat lang, Mr. Chairman, dapat lang binubulsa or napupunta lang sa kung ano-anong gastusin.

Mr. Chair, from among these documents, this Committee discovered that the Confidential Funds which should be utilized by civilian agencies for security and surveillance activities was just handed over to two members of the Vice President's security team upon the instruction of the VP herself. Sinabi po ito ng kanyang Special Disbursement Officers, na si Ms. Gina Acosta and Mr. Fajarda. Those funds, Mr.

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Chair, were never to be seen again. And according to the SDOs, they synched these same two members of your security group supposedly just provided them with the acknowledgment receipts to be submitted to COA.

Ibig sabihin po nito, Mr. Chair, para po mag-comply sa requirement nang nag-submit ng documentary evidence of payment, ang ibinigay ng OVP at DEPED ay acknowledgment receipts lamang. But in the course of investigating the OVP and DEPED submissions to the COA, these acknowledgment receipts, which were supposedly submitted to prove that it actually utilized Confidential Funds for the purpose stated in its physical and financial plan, Mr. Chair, we uncovered a number of anomalies. Sabi ko nga po, ang tanong nanganganak ng mas maraming tanong. Mukhang ang mga supposed evidence or proof of the use of these Confidential Funds ay bogus or gawa-gawa lamang. Fake ho ang tawag po sa English...

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REP. ADIONG. (Continuing)… sa English.

These discoveries led us to the conclusion that something was really amiss, Mr. Chair. May mali, na ang pagkakamali na ito ay humahantong po, Mr. Chairman, sa katiwalian.

Under Joint Circular 2015-001, it states that Confidential Funds must be utilized during the period of the particular project. This was confirmed by a resource person, Atty. Gemora, who said during the November 20, 2024 hearing before this Committee, that she agreed that in relation to the submitted acknowledgment receipts for OVP's Confidential Funds in December 2022, these do not confirm with the period that was covered by the confidential funds. Ito po iyong kasagutan niya noong tinanong po siya ng ating kasamahan po dito, si Congressman Jil Bongalon.

In the submitted acknowledgment receipts of the OVP to the COA which, as previously mentioned, it was supposedly a proof of its utilization of Confidential Funds from December 21 to December 31, 2022. And yet we found numerous receipts which were dated outside of the period. Ibig sabihin, may mga resibo po tayo diyan na hindi po within the prescribed o tinalagang dates kung saan nagkaroon po ng utilization ng Confidential Funds.

Mr. Chairman, iyong Confidential Funds na dinisbers (*disburse*) po nang December 21 to December 31 of 2022, ay mayroon din pong resibo tayong natanggap, na dated, na bago pa man ito, Mr. Chair, may mga acknowledgment receipts po tayo na natanggap, na ito ay ginasta bago pa man ng December 21, 2022 at mga ibang acknowledgment receipts na nagasta ng December 2023.

Ang tanong ko po, Mr. Chairman, sa atin, papaano naman ito mangyayari, Mr. Chair? Hindi rin po pupuwedeng sabihin na para sa ibang confidential funds ito na napasama lang because neither the OVP nor the Department of Education had any Confidential Funds prior to 21 December 2023 nor for December 2023. Wala naman po na confidential funds na binibigay or accordingly gagamitin o gagastahin noong prior, bago ng December 2021, 2023 at wala naman pong Confidential Funds na allotted for December of 2023.

What are shown on the screen, Mr. Chair, are not just the only ones we found as based on our examination of the acknowledgment receipts. We also found, Mr. Chair, that more than 150 acknowledgment receipts representing payments which amounted to more than 24 million pesos. Mahirap pong paniwalaan, Mr. Chair, na typographical errors ito o nagkamali po...nagkamali lang po sa petsa. Masyado

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naman pong marami itong...siguro itong mga typographical errors na ito because it amounts to 150 acknowledgment receipts.

Further, in my experience, Mr. Chair, lahat naman ho tayo nagkakamali. Human error ang tawag po natin. Human error as to the writing of the dates would typically be that of the previous year and not of the succeeding year. Ibig sabihin, Mr. Chair, lahat naman ho tayo nagkakamali, lalong-lalo na kapag mga bagong taon. Minsan, hindi pa ho natin masyadong na...kumbaga iyong acclimatized tayo doon sa pumasok na taon. Ang minsan nasusulat po natin ay iyong mga nakaraang taon. Hindi po iyong preceding year. Nae-experience po natin iyan as a human error na nagkakamali po tayo bearing the earlier year than the preceding year. Ibig sabihin po, Mr. Chair, hindi iyong darating na taon ang maisusulat po natin sa mga dokumentong pinipirmahan natin.

In fact, Mr. Chair, in the OVP's response to the Audit Observation Memo No. 2013-211 and 2013-213 dated 19 October 2023 in which the OVP attached the aforementioned acknowledgment receipts for its December 2022 confidential expenses, it stated that the amount of 125 million pesos was supposedly spent within the period. However, as I previously mentioned, Mr. Chair, a total of 158 acknowledgment receipts submitted by the OVP for its December 2022 Confidential Funds expenses were made outside the period of December 21 to December 31 of 2022, contrary, Mr. Chair, to the statement of the OVP, Mr. Chair.

These acknowledgment receipts were fabricated kasi wala nga po tayong basehan kung bakit ito nagastos. Wala nga ho siya doon sa date kung dapat siya paggastusan. Because they bore dates different from the period covered, Mr. Chair. Simple po iyan. Very simple po iyan at makikita po ng taumbayan iyan. Para daw po sa 21 of December to 31 of December 2022 raw po ang mga ARs na isinumite. This is shown by the certification dated 10 of January 2023 where Ms. Acosta certified that the acknowledgment receipts submitted, which was showed...which we just showed, Mr. Chair, was for the period of December 21 to December 21 of 2022. Iyong nakuha po ng OVP noong December 20, 2022. Pero po sa mga AR na ito, masayadong...mayroon pong dalawa. Isa dated November 27, 2022 at isa...isang dated December 12, Mr. Chair, 2022. Ito pong mga petsa na ito, it preceded the date when the Confidential Funds were released to the OVP in December 2022. While the others are dated in December 2022 or after the funds have been supposedly spent, Mr. Chair.

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Ang tanong ko po, paano po nangyari iyon na mayroon po silang mga ARs dated prior to the actual releases of the Confidential Funds at may mga ARs sila dated after supposedly na na-spent na iyong kanilang Confidential Funds. Bale ho, Mr. Chair, mukhang...base po sa sobrang dami ng mga acknowledgment receipts na ito na isinagawa lang noong hinihingian ng ebidensya ng COA sa pinadalang AOM sa Office of the Vice President.

Sa aking palagay, Mr. Chair, ay itong panahon lang din na ito nagsimula gumawa ng mga ganitong klaseng acknowledgment receipts ang OVP para isumite. Para po, Mr. Chair, hindi magmukhang ginasta itong confidential expenses kung saan-saan lang po nila nilagay.

Mr. Chair, it's very clear, Mr. Chair, kung titingnan po natin ang dates doon sa covered noong request of Confidential Funds with that of the acknowledgment receipt na natanggap po natin, mukhang bogus po at fictitious po itong mga Confidential Funds, Mr. Chair. Huwag din ho natin kakalimutan na by its very nature, Mr. Chair, acknowledgment receipts po ito. Ibig sabihin, pipirmahan mo ito tuwing natatanggap mo ang pera. Ibig po ba sabihin nito, Mr. Chair, mahigit isang daang tao ang nagkamali na nagsabing December 2023 ang kanilang pinirmahan habang tinanggap nila ang pera para sa December 2022? Imposible naman po iyan mangyari, Mr. Chair, dear colleagues.

Let me go to another discovery that we noticed, Mr. Chair...we had, 'no. Another anomaly this Committee noticed was the used of a very unique ink in the shade of blue in several acknowledgment receipts mula po sa Office of the Vice President. At first glance, Mr. Chair, we found that these acknowledgment receipts, which supposedly were signed by different persons in different months, clearly have the same unique shade of blue ink. There are many different types of pens, Mr. Chair, alam po natin iyan, may fountain pens, may sign pens, or whatever in the Philippines na available po sa market. But what are the chances, Mr. Chair, that the same ink would be used for two or more acknowledgment receipts submitted by the Office of the Vice President? If you ask me, Mr. Chair, the chances are very, very low. Especially, Mr. Chair, kung titingnan ninyo po itong tinta na ito ay hindi mumurahin, mahal po iyan na ballpen. Hindi po iyan common na ginagamit na ballpen. Ang mas kapanipaniwala, Mr. Chair, para sa akin ay only one person probably made these acknowledgment receipts and they are not the ones who received the funds as indicated in the acknowledgment receipts.

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Mr. Chair, my staff was also able to find acknowledgment receipts in different names but the strokes o iyong sinasabi po nating pagkasulat ng kanilang mga signatures...were...ng signatures na ito were identical. Dalawang different persons but the same identical strokes of signatures. Incidentally, Mr. Chair, these were all done in March of 2023. Moreover, Mr. Chair, the signatures all bear the same figure, done to two or three times...

(MR. REUBEN JAY D. INOCENCIO TOOK OVER)

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REP. ADIONG. (Continuing)...two or three times. It's hard to believe, Mr. Chair, that such common signatures would appear like this. I admit that I'm not an expert on this kind of analysis unlike those at the NBI—kasi sila naman po iyong competent gumawa nito ng examination—but based on what I know, Mr. Chair, these coincidences are too hard to ignore. In any event, Mr. Chair, ito pong Committee na ito ay pinapasuri po natin iyan sa NBI to make sure that these signatures have signed by the same person. Titingnan ninyo...mo po iyan sa monitor, the same strokes, different persons.

We also found out, Mr. Chair, that two acknowledgment receipts, both in the name of Milky Secuya, both had done on the same day. Same po pinirmahan on the same day, same address in Zambales, and using the same pen, however, have totally different signatures. Tingnan ninyo po, o, magkakaiba. The same day, the same date, same name but different signatures. Tanong ko po, Mr. Chair, did the person who signed these receipts suddenly forget how they signed in the middle of the same day? Nagkamali ho siya na nakapirma na pala siya tapos pipirma ulit ng isang acknowledgment receipt? Hindi ho ba, 'pag naka-receive ka na, hindi ka na ho magpipirma at hindi ka naman magre-receive ng isang another acknowledgment or payment? It could have been acceptable, Mr. Chair, if there was merely a small variance between the signatures, although as we can see, these two signatures are wholly different from each other, which only leads to the conclusion, Mr. Chair, that whoever made these ARs was not actually this Milky Secuya. This is truly mind-boggling, Mr. Chair, to say the least.

Another, Mr. Chair, another character who we found is a certain Alice Crescencio. There were three different acknowledgment receipts in the name of one Alice Crescencio submitted by the Department of Education in her name. Tatlo po iyan na acknowledgment receipts from the same agency, Department of Education, bearing the same name. However, Mr. Chair, similar to our friend—tanda ninyo po si Kokoy Villamin na na-present po natin noong previous hearing?—similar to our friend Kokoy Villamin, Mr. Chair, there were three different signatures. Kapansin-pansin din po rito, Mr. Chair, na si Ali...Ms. Alice was apparently, according to these ARs, were in different parts of the Philippines. Pinirmahan niya, noong una, nasa Pasay City siya, pangalawa, pumirma siya nasa Iligan City, sa Mindanao, at doon po sa aking probinsiya, sa Lanao Del Sur. Pumirma din ho siya doon. Baka nandoon din siya, according to the acknowledgment receipts.

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So, itong pangalan pong ito, Mr. Chair, it leaves a very questions, 'no. Kaya sabi ko, nanganganak ng tanong. Itong mga pangalan na po ito, Mr. Chair, ay hindi pangkaraniwan. Hindi ho natin masyadong naririnig ang Alice Crescencio. It...Hindi ho common name ito, kung Maria anuman iyan, iyon ang mga common name, but this is an uncommon name. And the chances are...And what are the chances, Mr. Chair, that three different individuals, persons have the same names and spelling. What are the chances, Mr. Chair? All receiving the same Confidential Funds for different purposes from the same agency, which is DEPED. Sobrang laking coincidence nito, Mr. Chair, which...actually, it's a mind-boggling. Medyo po, para sa akin, kung iisipin po natin ito, medyo kalokohan. I'm sorry to use the term po. Medyo kalokohan na po ito. The more likely explanation na gusto ko pong, ano, isipin ay itong mga tagapirma o tagagawa nitong mga ARs na ito ay hindi coordinated. Baka hindi ho sila nag-coordinate, and they failed to probably, overlook the possibility that they may use the same name, 'no, signing three different ARs from three different locations, bearing all...gamit ang iisang pangalan, which is in this case, Alice Crescencio.

Mr. Chair, pero hindi po diyan nagtatapos ang mga kababalaghan ang nakikita natin sa acknowledgment receipts. Mr. Chair, it is also this Representation's...it's my privilege and honor, Mr. Chair, to introduce to you sina Ms. Sally at si Ms. Shiela. Magkakaibang pangalan po ito, Mr. Chair, at malamang magkakaibang tao, kaya nga po sila magkaibang pangalan. Pero ano po ang kapansin-pansin, Mr. Chair, at ano ang napapansin natin rito sa pinipirmahang acknowledgment receipts nila from DEPED, as seen on the screen? Iisa lang po ang pirma nila, si Ms. Sally at si Ms. Shiela. Kabaliktaran po ito ni Kokoy Villamin. Si Kokoy, parehong pangalan pero iisa ang pirma. Kabaliktaran po ni Ms. Shiela at Ms. Sally, magkaibang pangalan pero parehong pirma.

These are two different persons, Mr. Chair, from two different addresses, I would assume. However, they have the exact same signature with exact same strokes, at baka iisang tintang ballpen ang ginamit, Mr. Chair, at magkaibang lugar, Mr. Chair. Nandito po si Cong...si Manong Johnny, taga-Surigao din po siya. So, it makes you think, Mr. Chair, that what are again the chances? That, once again, the two different people from Digos City and Surigao City, being more than 400 kilometers away from each other, have the same exact name and the same signature, two people signing the same pap...acknowledgment receipts, two different people signing with the same signatures in two different locations which are 400

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kilometers apart from each other. Taga-Mindanao po ako, so alam ko po iyong gaano kalayo ang Digos at ang Surigao. For me, Mr. Chair, only one person did these acknowledgment receipts, but merely changed his handwriting style from print to script in writing the name and the addresses, but also forgetting, Mr. Chair, probably to change the signature. Iyon lang po ang aking naiisip na possible na answer. And because of this, Mr. Chair, I believe that this receipt was again merely fabricated.

We have all been introduced to our new characters, Mr. Chair—si Alice Crescensio, Milky Way Secuya, Sally and Ms. Shiela. But let us not also forget our original friends na pinakilala ng Committee na ito. One of the stars on the issue, Mr. Chair, of the Confidential Fund is one Mr. Kokoy Villamin—iyong na-mention ko po sa inyo earlier and it was also presented in the previous hearings.

Mr. Kokoy Villamin who happens to receive Confidential Funds from both the OVP and the DEPED. Kung maaalala ninyo po, Mr. Chair, si Mr. Kokoy Villamin ay iisang...ay...ang isa sa mga unang napansin ng Komiteng ito marahil sa kaniyang kakaibang pangalan at sa magkakaibang...mag...kaiba-ibang kaniyang mga pirma. Napanood din po natin, Mr. Chair, at napanood ng Komiteng ito ang interview kay PSA Assistant National Statistician Marizza Grande na tinitingnan nila ang pangalan niya sa kanilang records at isiniwalat niya na wala silang makitang records pertaining to Mr. Kokoy Villamin. This was brought about by the request of Congresswoman Jinky Luistro na para po ma-confirm natin na may tao...talagang taong ito, we need to seek the assistance of PSA and NBI. Pero according sa kanila, wala po silang records na may tao pong Mr. Kokoy Villamin, according kay PSA na Assistant National Statistician Marizza Grande.

Base po sa kanilang initial na findings na ito ng PSA, mas panatag ako, Mr. Chair, na ang Confidential Funds na 'di umano'y binigay kay Mr. Villamin ay hindi talaga sa kaniya napunta at hindi talaga itong totoong tao. I mean, common sense would dictate, Mr. Chair, that same name bearing the same...same name ay hindi po magkakaroon ng dalawang signatures. And it reinforces our original questions kung mayroon po bang mga taong ganito.

Ang pinakabida, Mr. Chair, sa ating in...naging inquiry in aid of legislation sa Komiteng ito ay si, of course, si Ms. Grace...Mary Grace Piattos. Thank you to Chairman Romy Acop; siya po ang unang nakaobserba at na-notice po niya ang pangalan. Dahil iyong pangalan pong ito ang una nating napansin, at napansin ni Chairman Acop dahil ito po ay kombinasyon, according to him, ng isang restaurant at tsitsirya. At tama na po, lahat ho tayo nag-agree noon. Noong naisiwalat sa

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Komiteng ito ang acknowledgment receipt ni Ms. Mary Grace Piattos, kami ay tunay namangha, tayo po, hindi lang ho tayo, ang buong bayan ang namangha. We reached out to the National Statistics Authority and inquired from them into whether this was a real person or a made-up character. We were likewise informed, Mr. Chair, that the NSA had no record of any person bearing the name of Mary Grace Piattos. There are certain personalities, Mr. Chair, who claimed this Mary Grace Piattos were merely a code name, adding that in television and in movies, sa mga palabas at sa television, these codes...these code names are used for secret mission...

(MS. HANNAH P. GOMEZ TOOK OVER)

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REP. ADIONG. (Continuing)...secret mission. But the fugitive, and I addressed to him directly in hiding, forgets that it is real life. Tunay po tayong nag-iimbestiga dito, hindi po ito telebisyon, hindi po ito palabas. That the people's money earned through the hard work of every Filipino should be scrutinized on how they were spent by our agencies. Mr. Chair, ang keyword, Mr. Chair, is transparency. Transparency is required kasi kailangan masilip ng awtoridad, gaya ng COA, kung kaya't ang taong-bayan kung nasa tama ba ang paggastos ng kanilang pondo, in this particular case, the Confidential Funds.

The PSA recently informed us, Mr. Chair, that our new friends Mr. Kokoy Villamin, Ms. Milky Secuya, and Ms. Alice Cresencio are also all non-existent. Wala po silang record, non-existent. Hindi po sila...according to...to PSA ay posibleng hindi po ito mga tao. There is no record of their birth, no record of their marriage contracts, whatsoever or death. Sana naman po hindi death, 'no. Although we just want to leave no stone unturned. That's why we request them if they have a proof that would really prove an evidence of their existence—birth, marriage, or even death certificates. Wala po according to PSA. In fact, Mr. Chairman, of the 677 names from the DEPED acknowledgment receipts, which we submitted to the PSA for verification para po patunayan na kung mayroon bang tao na ganito, the 677 names from the ARs, it was determined by the PSA, Mr. Chair, that it wa...that only 400...that 405 of these ARs with these names have no record whatsoever. So, malaki-laki po iyong porsiyento, 677...out of the 677, 405 ang wala pong berifikasyon at wala pong record ng PSA. So, Mr. Chair, it is unlikely...unlikely that all of these are merely code names. As some supposedly high-powered lawyer would claim that this simply would not make sense from a legal standpoint which we will discuss more, Mr. Chair, and from a practical perspective since it would be unbelievable, unimaginable amount of effort to do. Imagine, Mr. Chair, gumawa ka, mag-imbento ka ng ganyan karamihang pangalan.

Let...let us go back to Alice Cresencio, if assuming without conceding that these are code names, hindi ba pag mga code names po, ibig sabihin, you somehow protect the real identity of the person, that's why you're using code names. Tatanungin ko po, ilang beses sila kumukuha ng code names at ina-assign sa isang tao? Halimbawa, si Alice Cresencio tatlong beses pumirma sa magkakaibang lugar ng ARs, how would they find out if Ms. Alice Cresencio is assigned to particular person kung tatlong beses nila itong ginamit. Kung talagang...if assuming that what

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they're saying is true, how sloppy they are to work and assign three code names to three...same code names...code name to three different persons.

Mr. Chair, under item 4.15.3 of the joint circular expressly requires that the SDO certify to the fact that such supporting documents for Confidential Funds are kept in a vault while item 6.2.21 of the same joint circular requires that liquidation reports along with supporting documents, like the acknowledgment receipts, are required to be submitted in a sealed envelope. Ibig sabihin, ang sinasabi po dito sa joint circular, kinakailangan po na mag-certify ang SDO na may supporting documents ang confidential funds at nilalagay po sa vault para hindi po basta-basta mailabas iyan. At sinasabi din ho dito sa liquidation...sa joint circular na ang liquidation reports ay dapat may supporting documents, hindi lang po ang ARs, 'no, at nilalagay po iyan sa sealed enveloped ganoon po kaimportante iyan. Ang mga requirements po na ito, Mr. Chair, ay tiyak na alam ng mga staff po ng Opisina ng Vice President at ng Department of Education.

In fact, Mr. Chair, to prove that they know this circular, the requirement of this circular memorandum, sinabi po ni Ms. Gina Acosta in a certification dated 10 January of 2022, certified, si Ms. Acosta, that the details and supporting documents relating to use of Confidential Funds are kept in safe. Sinabi po niya iyan na nilalagay po nila as a way to...to ano, to...to observe what is required of them to do. This includes, Mr. Chair, that acknowledgment receipt of Ms. Grace...Mary Grace Piattos, according to her para...so ang tanong ko po, Mr. Chair, kung mayroon pong istrikto ang joint circular na dapat ilagay sa safe, sa vault, you know. The joint circular uses the term "vault," 'no, and uses also the terms and the phrase "supporting documents." Eh, 'di para saan pa kaya ang security measures na ito sa joint circular kung code names lang din pala ang gagamitin. Paano...bakit ilalagay pa sa envelope kung hindi naman sigurado na totoong tao iyon kasi code name pala. Sa madaling salita, Mr. Chair, what is the use of the requirement under the joint circular of keeping records lock in a safe and transmitting them via envelope marked "Confidential Funds" kung...kung hindi pala tunay na tao. Eh, kung code names iyan, eh, puwede mo naman po nakalagay iyan sa, ano, mesa. Malay po ba natin kung sino si Alicia...Alice Cresencio. Ano ba ang tunay niyang pangalan, hindi ba, if we are really to protect their identity? So, why there's a need for the joint circular to require the agency to keep it in a safe and then have acknowledgment receipt and then put it in a sealed envelope if these receipts, Mr. Chair, actually used.

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THE CHAIRPERSON. Actually, there are three safeguards. Number one, it must be sealed, may nakalagay na "confidential," at dapat nakalagay sa vault.

REP. ADIONG. Yes. And those are...those three requirements were already confirmed by Ms. Gina Acosta, Mr. Chair, in the previous hearing.

Mr. Chair, again, let me continue, if these receipts actually use code names, what is the point locking it in a safe again and secure the vault...and secure it in a vault when the details therein have already been obscured or changed. Pinalitan na, hindi na tunay na identity, eh. Halimbawa, si Congressman Paolo Ortega ang kanyang code name ay si Magneto, eh, pupuwede naman diyan nakalagay diyan... malay ba natin na si Magneto pala si Congressman Paolo Ortega. Mr. Chair, the interpretation offered by those who claimed that code names can be used is patently absurd. I'm sorry to say...to say it...to say this. And we, in government, Mr. Chair, cannot and should not dabble with absurd...with the absurd. Hindi dapat ho ito biro, hindi ho biro ang pinag-uusapan dito. Hindi lang ho...hindi tayo naglalaro dito, Mr. Chair, seryosong bagay po ito. Kaya nga po may joint circular ka, eh, kasi seryoso po ang gobyerno kung paano po nila nilalagay ang criteria kung paano gastusin po ang pondo ng taong-bayan, ang pera ng ating mga kababayan. So, hindi po ito dapat laro-laro at hindi po lang dapat itago sa mga code names.

Furthermore, Mr. Chair, just because the issue involves Confidential Funds does not mean we can ignore, exploit, and essentially invent acknowledgment receipts which under the joint circular are proof of payment. Paano po mapo-prove na itong isang taong na ito, nagngangalang ganito ay nakatanggap dahil siya ay informant kung ang nilalagay lang ho natin na acknowledgment receipts ay hindi niya pangalan or code name lang, Mr. Chair, Your Honors. How can we then confirm, especially COA, Mr. Chair, that the Confidential Fund, actually, went to the right person for the stated purpose if the amount can be claimed with the code name? Mr. Chair, how can the Commission on Audit ensure that the agency who utilize Confidential Funds actually utilize it for its actual stated purposes as allowing a code name, Mr. Chair. To me, just allows this to be...just allows this, Mr. Chair, to be prone to abuse but just writing any name and calling it as such, Mr. Chair. And when accountability is required from the agency of the government, inquiry will be brush aside only on the basis of supposed confidentiality. Ganoon po, eh. So, we are, actually, weakening not only COA but even this Committee, the inherent right of this

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Committee to exercise its oversight functions. Para lang ho…Mr. Chair, to me, para lang ho itong biro-biro lamang lang.

So, I think those are the things that we need to consider and probably to propose a bill that will really secure the identity of the informants and as well as to prove that those informants really do receive the payments. Iilan lang po, Mr. Chairman, ito sa mga anomalyang napansin…

(MS. MARIA TERESA G. MARMITA TOOK OVER)

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REP. ADIONG. (Continuing)...anomalyang napansin natin sa ating pag-iimbestiga sa mga documentary evidences of payment na isinumite ng Office of the Vice President at ng Department of Education para di umano'y magpapatunay sa paggamit ng confidential expenses nito.

Sa aking mga kababayan, to my fellow Filipinos, I would wish that this Committee's inquiry, in aid of legislation, with regard to the issues on Confidential Funds surrounding OVP and DEPED was understood. Pinapanalangin ko po, Mr. Chair, na maintindihan ito, ang trabaho po natin, at ginagawa po natin dito sa Komiteng ito, pinapanalangin ko na maintindihan ito ng ating mga kababayan dahil hindi po ito pondo ng iisang taong pinag-uusapan. Hindi po biro ang pinag-uusapan dito. Hindi po madali ang mga na-involve na tao po dito. Ito pong pinag-uusapan natin ay pondo po nila, pera po ng taong-bayan. And we want to make sure that whatever manners these funds are spent and utilized, it should ultimately be for the goal or objective of making their lives better.

We...if we, Mr. Chair, as lawmakers, do not adhere to our duty to inquire with the resource speakers which are aimed at addressing gaps in the law, we would not be able to pass bills to eventually become law to address these very gaps which are prone to abuse. Ang ginagawa po natin dito, at kung hindi natin ginagawa at ini-exercise ang ating oversight function, paano po tayo makakagawa ng batas para protektahan ang pera ng ating mga kababayan. This is exactly what we, Mr. Chair, this Committee, as lawmakers, as Legislators...Legislators have done here. And this is the primary reason of why we have undergone numerous hearings in our inquiry in aid of legislation with regard to Confidential Funds without fear or favor.

Mr. Chair, in closing, other than our goal of hopefully passing a bill to address these gaps in the law surrounding Confidential Funds so that these may not be abused again by those in power, we should not forget who facilitated this abuse, Mr. Chair. Sabi ko nga, "Hindi po madali itong imbestigasyon na ito dahil ang involved po ay matataas na opisyal ng ating gobyerno." There is only one...only one person, Mr. Chair, in the middle of the issues surrounding the anomalous utilization of Confidential Funds of the Office of the Vice President and the Department of Education, ang tinuturo po ng lahat ng naging bisita po natin dito sa Komiteng ito, the very last invitees na nag-appear po sa Komiteng ito, ang Special Disbursement Officers ng Department of Education noong kapanahunan po niya at ng Office of the Vice President. Ito po iyong inatasan under the joint circular memorandum noong pag-disburse, paggamit, ng Confidential Funds. Sila lang po ang mayroong

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kapangyarihan na mag-disburse at mag-implement nitong pondo na ito. At sila pong dalawa...sila pong dalawa, ang sinabi po nila, nag...nag-utos po sa kanila, ay ating Pangalawang Pangulo, Vice President Sara Duterte.

Mr. Chair, wala pong personalan ito, trabaho lang. Marami pong...marami pong salamat. Magandang umaga po sa ating lahat. *Assalamualaikum warahmatullahi ta'ala wabarakatuh.*

THE CHAIRPERSON. Thank you, Congressman Zia Alonto Adiong.

The Chair would like to recognize the following Members: The Honorable Vice Chairperson from the 1st District of Zambales; the Honorable Jefferson Khonghun; the...Congresswoman Luistro, Gerville from the 2nd District of Batangas; and, Congresswoman Mikaela Angela Suansing from the 1st District of Nueva Ecija.

Congressman Zia, I think, because of your presentation, and just to avoid confusion, do you think we have to specifically propose na kailangan...like for example—ito po kasi ang wordings doon sa disbursement—that the details in supporting documents of transaction that are classified are in the custody of the agency and kept in its vault. So, do you think there is a need for us to propose that the word or the words "bearing true names or identity" be included? Para hindi na...maiwasan na iyong...

REP. ADIONG. Yes.

THE CHAIRPERSON. ...mga palusot.

REP. ADIONG. Tama po iyan, Mr. Chair. Kasi iyon naman po ang purpose kung bakit ilalagay sa vault at bakit i-envelope...safe envelope kasi para hindi makita iyong tunay...

THE CHAIRPERSON. Yes.

REP. ADIONG. ...na identity noong informants.

THE CHAIRPERSON. Ito po, "that the details in supporting documents bearing true names or identity," hindi ba?

REP. ADIONG. Tama po iyan, kasi sinasabi naman po iyan sa joint circular.

THE CHAIRPERSON. Yes. So, tingin ko magandang idagdag din natin ito sa proposed...sa proposal natin for the amendment of the joint circular.

REP. ADIONG. Tama po iyon, Mr. Chair. Salamat po.

THE CHAIRPERSON. Thank you. The next to be recognized is the Honorable Jil Bongalon.

REP. RAUL ANGELO "JIL" D. BONGALON. Thank you, Mr. Chair. Good morning.

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Mr. Chair, I, together with other Members of this Committee, will give a summary of the legal liabilities of the public officials and personalities involved in relation to the utilization of the Confidential Funds.

Mr. Chair, as the viewing public has known, we, the Committee on Good Government and Public Accountability, have been very committed to this inquiry arising from the Privilege Speech No. 379 of the Honorable Congressman Rolando Valeriano, made on September 3, 2024, on asserting the power of the purse of Congress and the *motu proprio* inquiry of Congresswoman Jinky Luistro's manifestation during the budget hearing of the Department of Education in the Committee on Appropriations held on September 2, 2024.

Mr. Chair, our good Members of the Committee have very competently summarized the facts that we have gathered from the past seven hearings on this matter. And this Representation is very honored to concur with that view that, indeed, the time that we have poured into this endeavor has been time well-spent for we have not only assisted the general public in understanding the process of disbursement of Regular and Confidential Funds and there is striking differences. We have also discovered alarming gaps and anomalies in the disbursement process and even outright violations of it. We believe that these findings, issues, and anomalies we have uncovered here will guide us not only in the present but also, well, into the future in crafting new legislation that will aim to better protect every single heart and centavo of our taxpayer's money.

Gayunpaman, may isa pang tanong na kailangan nating sagutin, at sigurado po ako na ang taong-bayan ay gusto at interesado din ito pong malaman. Ano po ba ang mga potensyal na legal liabilities, both criminal and administrative, sa mga natuklasang anomalya sa ating imbestigasyon? Mr. Chair, I, together with other Members, have taken on the task of outlining some of the potential legal ramifications and liabilities arising from the facts that we have uncovered.

Ang unang krimen na pag-uusapan po natin ngayong araw ay ang tinatawag na Technical Malversation under the Revised Penal Code. Ano po ba ito? Simply stated, it means that, "An accountable officer applies public funds to another purpose." Kahit public purpose pa iyan, which is different from that...which they were originally appropriated for by law or ordinance. Sa madaling salita, ginamit sa ibang bagay ang pera ng taong-bayan at hindi napunta sa orihinal na pinaglaanan nito.

Mr. Chair, shown on the screen are the Elements of Technical Malversation. Very straightforward po. One, may accountable public officer ka kagaya ng isang

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Special Disbursing Officer o di kaya iyong head of agency; second, iyong public funds na nasa custody niya napunta o ginamit sa ibang public purpose; third, iyong public purpose na pinuntahan ng public funds ay hindi iyong purpose na inaprubahan na paggagamitan ng public funds na iyon...

(MS. EDITHA S. MORALES TOOK OVER)

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REP. BONGALON. (Continuing)...public funds na iyon. Kaya naman ang technical malversation ay base sa paggamit ng public funds sa ibang bagay kung saan ito ay talagang nilaan. Kahit anuman ang intensyon o purpose nang paggamit nito. Even if the public funds are used for the benefit of the people, this is still penalized by law.

Let's look at once several instances of technical malversation that we have seemed to have uncovered. Ang pinag-uusapan po natin sa hearing na ito ay kadalasan tungkol sa confidential funds. Paulit-ulit po. And as confirmed by the Commission on Audit itself, Confidential Funds are only to be used for confidential expenses. Kaso pagdating po sa Office of the Vice President, iyong COA na po mismo ang nag-flag sa pamamagitan ng Notice of Disallowance which says na hindi mapakita ng accountable officers, kulang-kulang ang mga binigay na dokumento o ebidensya na magpapatunay o magpapakita na Confidential Funds were used for the confidential expenses that are allowed under the joint circular.

Let us emphasize that the joint circular requires that the confidential funds must be spent only for confidential expenses like those incurred in relation to national security and peace and order, confidential activities, among others. Such requirement was not complied with by the OVP, katulad ng itong tinutukoy na payment of tables, chairs, desktop, computers, and printers which were not even specified to be for confidential operations.

Let's assume na lang po dahil hindi alam ng SDO kung totoo ba o hindi na talagang gumastos ng 3.5 million pesos ang OVP para sa mga office equipment na ito. Mali po na Confidential Funds ang ginamit nila for this. This is clear technical malversation.

Mr. Chair... Next slide, please.

Now this is one...this one is very significant po. Presumption of malversation. Of course, there's such thing po na tinatawag na presumption of malversation and this is found under Revised Penal Code. At ang ibig sabihin po nito kapag ikaw, accountable officer ka, you were given custody over public funds at ikaw ang accountable for those funds. Kapag hinanap sa iyo kung nasaan yung funds or saan napunta at wala kang masagot, the law presumes na binulsa mo. Applying Article 217 of the Revised Penal Code, malversation is presumed to have been committed. Kaya kapag accountable officer ka, dapat po napakaingat mo na hinahawakan ang public funds na ito. Hindi mo ito basta-basta ipapasa sa ibang tao. You bear the

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burden of making sure that the public funds go exactly to the public purpose that they were intended for.

Unfortunately, Mr. Chair, when the Committee in the hearing last November 25 asked Special Disbursing Officer Acosta and Edward Fajarda on where the Confidential Funds were spent on, they could not give answer. And worse, they merely stated that they handed it to their alleged respective security officers. Ito mismo ay malinaw na labag sa kanilang tungkulin bilang SDOs na dapat alam kung saan nagagasta ang Confidential Funds at hindi dapat ito ibinibigay kung kani-kaninuman. Kaya naman walang puwedeng presumption kundi binulsa nila SDOs Acosta at Edward Fajarda, along with other employees and key officials of the OVP and DEPED, ang Confidential Funds ng ating taong-bayan.

Iyon lamang po, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Jil.

The Chair would like to recognize the Honorable Johnny Pimentel.

REP. JOHNNY TY PIMENTEL. Maraming salamat, Mr. Chairman.

Mr. Chair, we have already conducted several hearings regarding this matter. In fact, today is the eighth hearing that we are conducting. In the course of our investigation, we have found out that they have been several laws that have been violated in the disbursement of funds. Some of these have already been mentioned earlier by my colleagues.

Ngayon, meron pa pong isang paglabag sa batas at ito ay ang falsification. Ano po ba ang falsification? Sa ating saligang batas ito po ay may elemento po paggawa po nitong krimen o violation ng falsification. The staff, can you please show the slide? These are the elements of falsification.

Number one, the offender is a public officer or employee or notary public. Number two, the offender takes advantage of his official position. And number three, he or she falsifies a document by committing any of the acts mentioned in Article 171 of the Revised Penal Code.

Ito po ay when a public officer, tulad po ng ating mga resource persons na naimbita noong nakaraang mga hearings, take advantage of their official positions and falsify documents. Ang mahalaga dito ay mga falsities or mga di katotohanan or fabrication sa mga dokumento, among others. At ito mismo ang violation o krimen na nangyari sa loob mismo ng ahensya na dinidinig po natin.

Ngayon, ano po ba ang ibig sabihin ng falsified documents? Paano ba ito ginagawa? There are several means to falsify documents under the Revised Penal

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Code but let us go to the relevant portions to us right now. This is committed by any public officer, employee, or notary who, taking advantage of his official position, shall falsify a document by committing any of the following acts, causing it to appear that persons have participated in any act or proceeding when they did not, in fact, so participate. Falsification of documents, as committed, by making it appear that persons who participated in any act or proceeding when they did not in fact so participate. Ito po iyong nakita natin na mga obserbasyon sa mga hearing, sa mga fraudulent, at bogus po na mga acknowledgment receipts.

Next slide, please.

Naalala po natin lahat ang kakaibang pangalan na si Mary Grace Piattos. The person that obviously does not exist. Walang record ang PSA sa kanya, yet her name appears in the acknowledgment receipts submitted po to liquidate the Confidential Funds. Obviously, it was made to appear that she participated in this acknowledgment despite the fact that she does not exist. Clearly, Mr. Chair, this is falsification.

Next slide please.

Pag-usapan po din natin si Kokoy Villamin, the person po na ating na-highlight from the previous hearings who got Confidential Funds. As pointed out by Congressman Adiong, magkaiba po ang signature and handwriting niya sa parehong AR. This catch doubt on whether Kokoy Villamin, if he does exist, really was the one who signed both ARs or even any one of these ARs. Hindi kapani-paniwala na basta-bastang nagbago na lang ang pirma ng isang tao.

Again, it was made to appear that a person, itong si Kokoy Villamin, participated in these supposed payments and acknowledgment receipts when the truth he did not. Madami po tayong examples sa mga potential counts of falsification dito sa ating hearing. These are but just a few examples. Kaya naman ang mga acknowledgment receipts nito to make it appear na sila Mary Grace Piattos, Kokoy Villamin at iba` pang nakapirma ay nakakuha ng bayad mula sa Confidential Funds…

(MS. RIALYN G. REYES TOOK OVER)

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REP. PIMENTEL. (Continuing)...mula sa Confidential Funds, ngunit it was later revealed na ang mga tao na ito does not even exist. This is exactly what the law penalizes as falsification.

Next slide, please.

Now, isa pa pong violation ay ang use of falsified documents. Iba po ito sa falsification. Ito po ay isang krimen or violation ng batas natin na depende sa sirkomstansya.

Next slide, please.

Ang liable po for this crime is if alam ng isang tao na ang document ay falsified at ito ay ginamit pa rin niya. Ano ba ang mga elemento nito? Una, the offender knew that the document was falsified by another person. Pangalawa, the false document is embraced in Article 171 or in any of Subdivisions Nos. 1 and 2 of Article 172. Pangatlo, he used such document not in judicial proceedings. And pang-apat, the use of the false document caused damage to another or at least it was used with intent to cause such damage.

Next slide, please.

Ito po ang mga elemento of use of falsified documents. Ang importante dito is the use of the document. Clearly po ginamit po iyong affidavit or rather iyong falsified acknowledgment receipts. They were used to justify the liquidation for hundreds of millions of Confidential Funds. Ito po iyong mga sample ng mga dokumento na pinakikita natin ngayon. Naalala po natin ang mga liquidation reports ng ARs na paulit-ulit natin pinakita sa mga hearings dito na mga signature nila SDO Acosta, SDO Fajarda ay nag-certify na ang Confidential Funds ay napunta sa confidential expenses, ngunit ang totoo po, napag-alaman natin, ito ay kinonpirm *(confirm)* nila SDO Acosta at SDO Fajarda mismo na hindi nila alam kung saan napunta ang Confidential Funds.

Iyon lang po, Mr. Chair. Maraming salamat po.

THE CHAIRPERSON. Thank you, Congressman Johnny Pimentel.

The next to present is Congresswoman Jinky Luistro.

REP. GERVILLE "JINKY BITRICS" R. LUISTRO. Thank you, Mr. Chair.

I just want to reiterate, while it has been said repetitively already that our ultimate objective here in conducting this inquiry in aid of legislation is to be able to enhance existing laws, come up with new ones if arise... if the need are determined, Mr. Chair. Nevertheless, we cannot brush aside certainly all the abuses and

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infractions that we have identified during the cause... course of our inquiry in aid of legislation.

And in addition to the offenses which have been raised already by our esteemed colleagues, I wish to add perjury. Perjury can be committed orally or in writing. If it is orally, the perfect example or illustration, I believe, are misrepresentations during inquiry in aid of legislation. We often hear this. You will be committing perjury because all resource persons in inquiry in aid of legislation, and even in all forms of investigation, we place them under oath. At ang lahat ng pagsisinungaling while under oath, we call it perjury. Again, the best illustration of an oral perjury are those committed by resource persons appearing in this investigation while making several misrepresentations.

However, Mr. Chair, when it comes to written perjury, I wish to breakdown the elements of this offense so we can better illustrate how this is determined. And talking about elements, Mr. Chair, as we can see from the screen, there must be a sworn statement. It must be made under oath. The statement contains deliberate assertion of falsehood, and the false declaration is with regard to material fact.

Mr. Chair, in the course of our investigation, the Special Disbursing Officers, sina Ginoong Edward Fajarda at Ginang Gina Acosta, have plainly asserted na wala raw silang alam kung saang mga aktibidad ang pinaglaanan ng Confidential Funds.

Can we please flash the certifications?

Ayon sa kanila, basta-basta lang raw nila sinunod ang utos sa kanila ng ating Bise Presidente na ipasa ang Confidential Funds in the total amount of 612.5 million pesos, lagpas, Mr. Chair, sa kalahating bilyon, sa ibang tao na siya raw namahala at nag-disburse nito. Pagkatapos ay ipinasa lang din ng mga SDO sa COA ang mga accomplishment reports at ang mga acknowledgment receipts na ibinigay sa kanila. Pero hindi nila alam kung totoo ang nakasulat sa accomplishment reports, kung totoo or peke ang mga acknowledgement receipts, at kung saan talaga ginamit ang pera.

We have witnessed this, Mr. Chair, during the interpellation of SDO Edward Fajarda of the Department of Education as well as SDO Gina F. Acosta of the OVP. After they testified na ipinasa nila sa mga security officer ng Bise Presidente ang pera, wala ka nang makuhang impormasyon because they kept on giving an answer, wala silang alam dahil ang kabuuan ng halaga ay ibinigay nila sa mga security officers.

Ito pong certifications, Mr. Chair, is the perfect illustration of a written perjury. Halimbawa ng tinatawag natin na written statement made under oath. It is a basic

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principle that even first-year law students know that a statement made before a notary public, notaryo publiko, is a statement made under the risk of perjury.

In other words, Mr. Chair, when we talk about perjury, that includes the documents which were notarized by notary publics, sworn to before notary publics, similar to the certification that we are currently flashing on the screen.

Now, let us look closer at what these certifications say. Ano po ba ang nilalaman ng mga certification na ito? Number one, iyong expenses where the Confidential Funds were supposedly spent on were incurred in connection with the agency's intelligence and/or confidential operations and activities.

I wish to reiterate. Paano po malalaman ng ating mga Special Disbursing Officers whether the first certification is indeed correct if they simply handed the money to the security officers?

The second content, iyong mga pinaggastusan raw ng Confidential Funds ay necessary and utilized for legal purposes. Again, Mr. Chair, how will they certify to this fact when they are totally unaware about the activities where the Confidential Funds were allegedly spent?...

(MR. REUBEN JAY D. INOCENCIO TOOK OVER)

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REP. LUISTRO. (Continuing)...allegedly spent?

Third, alam raw nila na hindi napunta ang funds sa mga gastusing ipinagbabawal sa Confidential Funds, kagaya ng payment of salaries and wages, overtime, allowances, or fringe benefits. Mr. Chair, I wish to raise, there is one common answer coming from our SDOs—wala silang alam dahil ang pera ay ibinigay sa mga security officers.

Fourth, certification. Any equipment purchase was supposedly relevant to the confidential and/or intelligence activities. Mr. Chair, suffice it to say that the SDOs are totally unaware of how the Confidential Funds were spent primarily because they were not the one who disbursed the same. Eh, paano po nila patototohanan ang nilalaman ng mga certifications na ito, certifications which were sworn to before a notary public? To emphasize, Mr. Chair, and as seen from one of the certifications, which our Secretariat is showing right now, our Vice President and SDO Acosta signed and certified this certification before the notary public, and that is Atty. Abella.

Ano po ba ang sabi ng mga SDO? We all learned from the hearing on November 25 that while SDO Acosta did encash the check, according to her, wala po siyang alam kung saan napunta iyong Confidential Funds, kasi po ito ay turned over sa VPSPG. Mr. Chair, this is totally, if not completely, contradictory to the contents of the certification. It's the exact same story for Mr. Fajarda of DEPED, Mr. Chair. Sabi po nila Ms. Acosta at Mr. Fajarda sa ating pagdinig na hindi talaga nila alam kung saan ginastos ang pera. In other words, malay po ba nila kung napunta nga ba sa intelligence or confidential operations and activities ang pera. Malay po ba nila kung totoo iyong mga pinagsasasabi na accomplishment report, liquidation report, and most importantly, certification. But they...they signed it, Mr. Chair. They signed them under oath. This means, Mr. Chair, that Ms. Acosta and Mr. Fajarda did not only violate the joint circular, they also lied under oath dito sa kanilang certification. They did this not just once, not just twice, but thrice for Mr. Fajarda. And for Ms. Acosta, I have to state she did it four times. Paulit-ulit silang nagsinungaling sa kanilang certifications, Mr. Chair.

The next offense that I wish to raise, Mr. Chair, is bribery. And we have to take this in consideration with the counter-offense "corruption of public officers." Simply stated, Mr. Chair, sa isang korapsyon or anomalya, may isang nanunuhol at may isang sinusuhulan. The offense committed by the author of corruption is Article 212, that is Corruption of Public Officers. On the assumption, Mr. Chair, na tinanggap

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ang suhol, then the offense committed by the one who received the money, we call it bribery.

Let us discuss first bribery, Mr. Chair. Ano ang elements ng bribery? There must be a public officer, the accused is a public officer; he received directly or through another some gift or present; the receipt was in consideration of his commission of some crime; and that relates to the exercise of his function as a public officer. Of course, kailangan ma-mention ang mga krimen ng mga nagsuhol at mga nagpasuhol. Ito po ang mga elements ng bribery. Malamang lahat ng mga tao na naimbestigahan natin ay public officials who received amounts of not just any money, but possibly of Confidential Funds as well.

Corruption of public officers. Siyempre kung may mga tumatanggap ng suhol, may mga nagsusuhol. Sila naman po ay magiging liable sa krimen ng corruption of public officers. Again, Mr. Chair, for clarity, ang nanuhol ay liable sa corruption of public officers; ang tumanggap ng suhol, they are liable for bribery. Ibig sabihin, may isang special krimen para sa nagsusuhol ng mga public officials. Tingnan po natin, parehas lamang ang penalty na ini-impose sa mga nagsusuhol at sinusuhulan, as provided under Article 212, except, of course, disqualification and suspension, because these two penalties apparently apply only to public officials.

Kaya naman ang bribery at corruption of public officers ay ang pagbibigay ng pera, regalo, o kahit anumang advantage or favor sa pamamagitan ng pag-abuso ng kaniyang posisyon sa gobyerno.

Kindly flash the next screen. Let's all recall what we...what we discovered from the Committee investigations.

May mga empleyado sa DEPED na tumanggap ng white envelopes in the same period within the Confidential Funds for DEPED were released. Hindi po ba kahina-hinala iyan. And you can see from the screen, OVP executive admits, inamin, handing cash envelopes to DEPED officials.

Next slide, please.

We may recall, it was former Usec. Gloria Mercado who first revealed to us that she received nine envelopes with 25,000 in a span of nine months. Ito'y ibinigay ni Sunshine Fajarda, ang mga envelopes kay Usec. Mercado, at sinabi na galing ito sa Bise Presidente Sara Duterte. Malinaw na malinaw na ang ganitong pagkakataon ay hindi normal. Hindi normal na ang boss ay nagbibigay bigla ng sobre na may 25,000 each for nine months to her very own head of procurement. Anyone can

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easily conclude that this is not merely out of generous heart of VP Duterte, but was precisely given in attempt to influence Usec. Mercado, to which she failed to do.

And we may recall, Mr. Chair, during our interpellation with Usec. Gloria Mercado, she admitted have...believing that those envelopes were given to her to influence her decision as HOPE.

Next slide, please.

It was not a surprise when former Chairman Resty Osias—this is our second DEPED official—he is the Chairman of DEPED Bids and Awards Committee. He admitted, siya rin ay nakatanggap ng sobre na may laman na pera. Again, another key official in the procurement process of the DEPED. And yet, again, another act of corruption, plaguing in the DEPED.

Iyong nauna...

(MS. HANNAH P. GOMEZ TOOK OVER)

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REP. LUISTRO. (Continuing)...nauna, Mr. Chair, Usec Mercado, he...she was the HOPE of DEPED. And this time, we have Chairman Resty Osias, Chairman of DEPED, Bids and Awards Committee, both having admitted having received envelope with money inside.

Next slide, please.

Of course, sino po'ng makakalimot sa ating Chief Accountant ng DEPED, Ms. Rhunna Catalan. Like former Usec Mercado, like Mr. Osias, Ma'am Catalan received the same number of envelopes containing the same amount of money in the same period of February to September 2023. Again, another key official in the DEPED, who necessarily deals with the public funds of the DEPED, was blinded by an alleged gift from VP Duterte. But it was later on revealed that she was requested by Sunshine Fajarda, the very person who handed her the envelopes, to sign the liquidation reports without its supporting documents. Again, corruption prevailed. Mr. Chair, in line with the issue of bribery and corruption, I wish to manifest that there is a chance that the three key officials of DEPED, who I previously mentioned, Usec Mercado, Mr. Osias, Ms. Catalan, were not only employees of DEPED who received envelopes with cash. I believe that it is only a matter of time. And I hope that light be shed on this alarming revelation. Tayo po ay naniniwala na hindi lamang po ang tatlong opisyales na ito ang tumanggap ng envelope na may lamang pera mula sa ating Bise Presidente.

Ultimately, Mr. Chair, is the crime of plunder. Isa pa sa ating nakitaan na maaaring ikaso mula sa ating mga nadinig sa ating Komite rito ay ang violation ng plunder sa ilalim ng Republic Act 7080, as amended. Ang basis po natin ay lahat ng mga nakalap na impormasyon patungkol sa paggasta diumano ng OVP at ng Department of Education ng Confidential Funds sa ilalim ng pamumuno ng ating Bise Presidente. Mapapansin po natin na wala pong naipakita na ebidensiya kung saan totoong napunta talaga ito. Pinatutunayan lang ng mga opisinang ito sa pamamagitan ng acknowledgment receipts na atin namang napansin na napakaraming anomalya—pareho ang sulat, pareho ang pirma, pareho ang tinta ng ballpen. Ang impossibility na ito ay na-disburse ayon sa dami ng resibo sa iisang araw lamang at isama na din po natin ang mga nadiskubre nating pangalang Mary Grace Piattos at Kokoy Villamin na napatunayan na na wala sa database ng Philippine Statistics Authority. Ang iisang konklusyon na aming nakikita sa mga ito ay hindi tunay, pineke lamang ang mga ito upang maipamukha lamang na ginasta ito

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para sa surveillance activities upang magamit ang pondong ito sa ibang kagamitan o pansariling interes.

Ano nga ba ang plunder, Mr. Chair? Sa ilalim po ng Section 2 ng ating Anti-Plunder Act, nakasaad dito, "Any public officer who, by himself are in connivance with members of his family, relatives by affinity or consanguinity, business associates, subordinates or other persons amasses, accumulates or acquires ill-gotten wealth through a combination or series of overt or criminal acts in the aggregate amount or total value of at least 50 million pesos." Nakasaad din rito na ang penalty ng paglabag ay *reclusion perpetua* na may katumbas na 20 years and one day hanggang 40 years.

I wish to add, Mr. Chair, na ito pong kasong ito considering the penalty of *reclusion perpetua* is non-bailable. Kalakip din po ng penalty na ito ang perpetual absolute disqualification which includes deprivation of such person from holding public office and employment kahit pa manalo sa election. Kaya naman, Mr. Chair, ang plunder sa madaling salita ay ang pagnanakaw ng pera mula sa kaban ng bayan na may halaga na higit sa 50 million pesos sa pamamagitan nang paggawa ng ibang krimen.

Next slide, please.

Kung makikita po natin sa ating screen, mayroong total na pito, umaabot sa 612 million 500 thousand pesos. Ang apat na tseke ay mula sa OVP, umabot ng 500 million pesos. At ang tatlo pang tseke ay mula sa DEPED na nagkakahalaga naman ng 112 million 500 thousand pesos. Mr. Chair, ang nabanggit na halaga, 612 million 500 thousand, lagpas-lagpas sa 50 million pesos na required para sa kasong plunder. Ang mga tsekeng ito ay lahat nakapangalan kay Ms. Gina Acosta bilang Special Disbursing Officer ng DEPED. Inamin niya sa atin na imbes na i-disburse niya ito as confidential expenses ay sinunod ang utos ng Bise Presidente na ibigay ang pera sa kanyang security officer. Dito naman po sa Department of Education ang payee sa mga tseke ay ang Special Disbursing Officer Edward Fajarda, former Special Disbursing Officer of DEPED. Inamin rin niya na noong nakaraang hearing na ang perang kanyang natatanggap ay kanyang ibinibigay sa security officer sa utos din ng ating Bise Presidente.

Mr. Chair, I wish to show the breakdown of the confidential funds which were received both by DEPED and OVP. For OVP, Mr. Chair, for clarity, we have 125 million; that is last quarter of 2022. And then, 125 million for the first, second, third

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quarters of 2023, total of 375. So, 2022 which is 125; and 2023 which is 375. That is 500 million in total confidential funds utilized by the Office of the Vice President, Mr. Chair.

For DEPED, Mr. Chair, I understand that these were utilized during the first three quarters of 2023, 37 million 500 thousand each for the first, second, and third quarter of 2023 which total to 112 million pesos Confidential Fund utilized by the Department of Education.

In total, Mr. Chair, ang kabuuang halaga...

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REP. LUISTRO. (Continuing)...kabuuang halaga po na ating naimbestigahan pertaining to the utilization of Confidential Fund is 612 million 500 thousand pesos. Napakalaki at nakakalula. And to be very candid, Mr. Chair, ilang bata na sana ang ating napakain. Ilang bata na sana ang ating napaaral. At ilang pamilya na sana ang ating nabigyan ng bahay.

Mr. Chair, considering that the amounts involved here far surpassed the threshold for plunder, na mas kilala bilang pandarambong, it is my humble position na dapat po talaga ay maipagpatuloy at mapalalim pa ang imbestigasyon upang malaman kung sino ang nakinabang sa perang ito. Such an investigation may not be for Congress to conduct anymore. Again, our ultimate purpose here is to legislate such an investigation. However, we will ensure will be conducted, Mr. Chair. Hindi po basta-basta ang mga pangyayaring natuklasan natin rito.

Finally, Mr. Chair, ayon po sa isang Supreme Court decision—this is Macapagal Arroyo versus People, G.R. Nos. 220598 and 220953, dated July 19, 2016—on the crime of Plunder, napag-usapan po dito ng Supreme Court ang wheel conspiracy na nagaganap in the commission of plunder. Kaya kung maipagpapatuloy po ang imbestigasyon, maigi pong matingnan kung sino po ba ang hub, sino ang mga spokes, ilang conspiracy po ba ang ating pinag-uusapan? In other words, Mr. Chair, we will look forward that as the other agencies conduct an in-depth investigation on this, we will look forward sino ang hub, sino ang sentro, sino ang nakikinabang dito sa alleged wheel conspiracy na ito.

Maraming salamat, Mr. Chair.

THE CHAIRPERSON. Thank you, Congresswoman Jinky Luistro.

The Chair would like to recognize the Honorable Manuel.

REP. RAOUL DANNIEL A. MANUEL. Thank you, Mr. Chair. Good morning sa ating mga kapwa Mambabatas.

Mr. Chair, sa inabot so far ng mga hearing natin dito sa Good Government and Public Accountability Committee or Blue Ribbon Committee, we recognize the efforts of our colleagues, iyong mga staff, Secretariat, at lahat po, sa kanilang mga efforts para sumulong ang ating imbestigasyon in aid of legislation. Isang mahalagang precedent itong naging serye ng mga hearing natin, Mr. Chair, dahil dito ay napakita natin na ang mga pera ng bayan na in-allocate bilang Confidential and Intelligence Funds ay puwede naman palang pag-usapan, puwedeng busisiin, puwedeng tingnan paano talaga iyan ginamit at lalo na kung naabuso ay dapat hindi makawala basta-basta iyong mga hindi nag-alaga sa pera ng bayan na pinagkatiwala

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sa kanila. Ito po ay isang malaking leksyon sa lahat ng mga ahensya sa ating gobyerno na atat na atat na magkaroon ng Confidential or Intelligence Funds para sa kanilang agencies.

Pangalawa, Mr. Chair, napakita natin sa mga hearing na ito na iyong mga inquiries in aid of legislation ay puwedeng gawin habang nirerespeto natin iyong trabaho ng iba pang mga ahensya when it comes to ensuring transparency and accountability among public officials.

Pangatlo, Mr. Chair, ngayon nakita natin na mayroon palang puwedeng gawing isang scheme iyong mga opisyal na gustong gamitin para sa sariling interes ang pera ng bayan. Lalo na, Mr. Chair, iyong paggamit at paglikha ng mga pekeng pangalan at ginagamit ang security purposes diumano para maging dahilan ng paggamit ng mga peke, hindi totoo, at mga inimbentong pangalan. Para sa representasyon ng Kabataan, Mr. Chair, tayo...isang malaking question mark, malaking red flag talaga na kinailangang gumawa ng mga pekeng pangalan sa mga acknowledgment receipts. Kasi, in the first place, Mr. Chair, itong mga supporting documents, iyong mga resibo, or iyong mga documentary evidence in relation to the use of Confidential and Intelligence Funds, limited na nga in the first place ang puwedeng mag-access dito, Mr. Chair. Hindi nga buong-buong mga ahensya, kahit iyong COA kinailangang gumawa ng isang unit, iyong ICFAU o iyong Intelligence and Confidential Funds Audit Unit, para iyon lamang iyong mayroong access sa mga dokumento. Pero, kahit iyon, Mr. Chair, ay hindi kinikilala ng Office of the Vice-President at maging noong mga opisyal ng DEPED na nag-handle ng Confidential Funds.

Ang tanong sa atin, Mr. Chair, kinailangang gumamit ng mga pekeng pangalan. Pag ganoon ba iyong mga security officers na siyang nag-handle diumano ng Confidential Funds ng OVP at saka DEPED, wala ba silang tiwala doon sa Special Disbursing Officer ng OVP at saka ng DEPED? Wala din ba silang tiwala doon sa iba pang mga opisyal ng OVP at saka DEPED? At wala rin bang tiwala itong mga security officers sa COA o sa ICFAU, na siyang inatasan ng Joint Circular 2015-01, na busisiin iyong mga documentary evidence? Also, Mr. Chair, hindi ito mangyayari kung wala ang utos mismo ng nakaupong Bise Presidente na si Sara Duterte. Itong pag-utos niya, ano, na maglikha ng mga pekeng resibo at gumamit ng mga pekeng pangalan, ito rin ba ay isang pagpapahiwatig na wala siyang tiwala mismo sa kanyang Special Disbursing Officer o SDO? Wala rin ba siyang tiwala doon sa iba pang mga opisyal ng Office of the Vice-President o ng DEPED? Wala

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rin siyang tiwala mismo sa Commission on Audit kahit na laging sinasabi na hayaan daw iyong COA na gawin iyong kanilang trabaho. Pero the fact na magsusumite ng mga pekeng resibo sa COA, iyon din actually, Mr. Chair, ay pag-disregard ng Bise Presidente sa mandato ng COA. And, Mr. Chair, we have established na laging ginagamit ng Bise Presidente iyong usapin ng security, peace and order para pagtakpan iyong kanilang mga maling ginawa.

Kaya, Mr. Chair, liban sa mga naging efforts din ng ating Komite, gusto din nating kilalanin iyong ginawa ng ating mga kababayan na nanood, tumutok, nakialam sa isyu na ito. Pinapakita nito iyong public participation na kung saan iyong mga pinag-uusapan natin dito, dahil public funds iyong nakataya, iyong mga kababayan natin ay naging interesado na maging bahagi ng pagsusulong din natin ng pananagutan sa hanay ng mga opisyal publiko.

At, Mr. Chair, sa mga panahon din na tayo'y sinisiwalat natin iyong katotohanan, siyempre nandiyan ang iba't ibang mga tangka para lunurin ang katotohanan sa pamamagitan ng pagpapakalat ng disinformation, mga gawa-gawang kuwento o naratibo. Kaya lalo nating hinihikayat iyong ating mga kababayan, lalo na iyong mga...noong una ay nagdadalawang isip pa pero really ay hindi na rin kinakaya ang mga ginawa at mga pinagsasabi ng Bise Presidente. Patuloy po tayong tumutok pa rin at makibahagi, at sana ay huwag po tayong magsawa na gampanan iyong ating papel bilang mga citizens ng ating bansa na tiyakin talaga iyong mataas na standards sa ating mga public officials.

Pangatlo, Mr. Chair, sa dami ng mga pinag-uusapan ng bayan, siyempre lately mayroong cheating issue sa pagitan ng dalawang sikat na mga celebrities na napapanood sa telebisyon. Sabi nga, Mr. Chair, dapat kapag may cheating...

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REP. MANUEL. (Continuing)...kapag may cheating, hindi lang isang tao iyong ating pinag-uusapan at tinitiyak na gumawa dapat ng tama at aminin iyong mali. Kapag may cheating, Mr. Chair, it involves talaga at least dalawang tao. Kaya sa bahagi din noong ating topic, Mr. Chair, lalo na ito nga, it's a public matter. At pag ganoon, Mr. Chair, na tayo, iyong taong-bayan, we were actually cheated of our funds. Iyong Bise Presidente, Mr. Chair, she cheated the Filipino people of our funds that could have gone to several social services, Mr. Chair. Na kung hindi iyan nalagay sa Confidential Funds, nilagay sa serbisyo, hindi tayo hahantong sa ganitong sitwasyon, Mr. Chair.

So, because of this grave cheating ng mga opisyal na ito sa taong-bayan, ibig sabihin, hindi lang iyong mga Special Disbursing Officers, hindi lang iyong mga security officers pero ang nakaupong Bise Presidente mismo, Mr. Chair, ay nandaya, nag-betray sa mamamayang Pilipino, Mr. Chair.

Kaya naman mula sa pakikilahok din ng ating mga kababayan ay meron tayong mga sectoral leaders representing various organizations na kumilos din at sinimulan iyong pagtahak doon sa track ng pagpapa-impeach, Mr. Chair.

And on our end, as a Legislator, kasama ang fellow Representatives natin sa Makabayan Coalition at dahil nandiyan iyong effort ng ating mga kababayan, inendorso natin iyong ganoong impeachment complaint as a logical track para matiyak iyong pananagutan.

This, of course, comes along with continued discussion sa various Committees dito sa Kamara on essential points related to the matter at sa usapin din ng legislation sa future budget deliberations natin to come up with our budget law o iyong General Appropriations Act ay titindig pa rin tayo na dapat ay hindi na ulit maabuso ang pera ng bayan through the form of Confidential and Intelligence Funds.

And kasabay din noon, Mr. Chair, ay iyong pagsulong din ng appropriate charges sa Bise Presidente, sa mga official ng OVP at saka ng DEPED, and also ensuring further action from the Commission on Audit.

Iyon lamang, Mr. Chair. Maraming salamat.

THE CHAIRPERSON. Thank you, Congressman Manuel.

The Chair would like to recognize Congresswoman France Castro.

REP. FRANCE L. CASTRO. Thank you, Mr. Chair.

So, just a point of inquiry, Mr. Chair. Kasi narinig ko kaninang umaga that this would be the last Committee hearing for this topic, 'no, iyong tungkol sa

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Confidential Fund. So, ang ibig bang sabihin, Mr. Chair, we are going to ano na, we're going to have a Committee Report na, Mr. Chair, after this?

THE CHAIRPERSON. This will be the wrap-up Committee hearing insofar as Confidential Fund, pero hindi pa po tayo magtatapos sa ating Committee hearing, kumbaga year-ender lang. Sina-summarize lang po natin kung ano pong mga nangyari di po sa nakaraang pitong hearing.

REP. F. L. CASTRO. Thank you, Mr. Chair, for that clarification.

Narinig ko rin po iyong mga manifestation, questions, mga intelligent manifestations ng ating mga colleagues. At nagpapasalamat ako sa time na binigay ng ating mga colleagues dito sa pagdinig natin sa...tungkol dito sa Confidential Fund.

Siguro ang tanong ko lang, Mr. Chair, kasi dahil...kumbaga nandodoon na tayo sa pinaka-dulo. At lumalabas dito na parang natapos kay Fajarda at kay Acosta...Mr. Fajarda, I mean, Mr. Fajarda as SDO ng DEPED at saka Acosta naman, iyong SDO ng VP. Tama po ba? So, parehong sinabi nila na mukhang sila, 'no, noong natapos na sa kanila iyong pondo, pero iyong tseke, sila iyong nakapirma, sila iyong tumanggap. Pero ang nangyayari, Mr. Chair, kung titingnan natin ang mga pangyayari, mukhang hanggang doon na lang iyong mga opisyal ng AFP na naging security officer na pinagbigyan nito ay walang accountability dito. So, tapos binanggit niyo rin po AFP na iyong mag-iimbestiga. So, siguro dapat iba po iyong pag-i-imbestiga ng AFP sa pag-i-imbestiga natin. Kasi, we want to know the truth. Ano ba talaga iyong nangyari dito sa pondo na ito ng mamamayan? Kasi parang... feel ko lang, Mr. Chair, parang hindi tayo puwedeng tumigil, na ibinigay na lang iyan dahil nga sa utos ni Bise Presidente. Remember, mga nakapirma doon mga maliliit na opisyal—si Mr. Fajarda at saka si Acosta—malamang-lamang, Mr. Chair, huwag naman sana, 'no, huwag naman sanang mangyari, baka sila pa iyong mademanda dahil sila iyong tumanggap ng tseke, sila iyong nagpapalit, pero baka maabsuwelto itong mga militar, itong mga security officer na tumanggap. Kasi dito lang natin makikita in transparency, 'no yoong...ano ba talaga ang nangyari doon sa pondo? Bakit nagkaroon ng mga ganitong mga gawa-gawang ano, 'no, gawa-gawang pangalan o recipient ng mga rewards, ng mga supplies?

Meron pa nga, Mr. Chair, doon sa ating mga ebidensiya. Kung alias iyon, RS—dalawang RS—sa isang araw reward, isang 20,000, isang 50,000. So, paano nangyayari iyon? Ano ba'ng impormasyon na ibinigay noong isang...the same RS iyan, ha, parehas lang siya ng pangalan, na magkaiba ng amount at the same time.

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Kaya ito iyong dapat na ipaliwanag noong mga militar na tumanggap or pinagbigyan ni Fajarda, Mr. Fajarda at saka ni Mr. Acosta.

Ako lang, Mr. Chair, hindi lang po kasi ako nasasapatan na ititigil na natin iyong imbestigasyon doon kaugnay nung Confidential Fund. So, ano po ba ang ano dito arrangement? Sila na ba ang mag-aano? Sila na ba ang mag-iimbestiga? Iyong mga AFP? May timeframe ba? At paano tayo makakasiguro, Mr. Chair, na magiging fair and with justice iyong ano, 'no? Remember, Mr. Chair, 612.5 million ang involved na pera dito. Kasi utos ni VP, ni Vice President Sara Duterte, na ibigay doon sa mga security officer. Ginawa naman ng ating ...ng mga SDO ng DEPED at saka ng OVP. Pero ano na iyong ano, 'no? Kailangan makita natin dito iyong pananagutan mismo ni Vice President as siya iyong nakalagay sa...nakalagay po, Mr. Chair, sa JC, sa joint circular tungkol sa Confidential Fund na the most responsible po doon sa pondo. Kasi baka po, Mr. Chair, natatakot ako na baka ang lahat ng sisi ay mapunta doon sa SDO na tingin natin wala talaga silang ano, kumbaga sa conspiracy kasama sila accessory lang sila. Pero ang may talagang pananagutan dito sa tingin natin ay iyong Vice President, katulong noong mga security officers.

So, iyon lang, Mr. Chair, iyong gusto kong maliwanagan. Bakit tinigil na natin doon? Hindi natin pinatawag iyong dalawang security officers na involved o iyong tumanggap. Kasi wala silang ano, eh, wala silang bond, unlike iyong ating mga SDO. Sila wala silang karapatang tumanggap. So, bakit sila tumanggap ng ganitong pera? At pananagutan nila iyan, Mr. Chair.

THE CHAIRPERSON. Maraming salamat po, Congresswoman France Castro.

Unang-una po, meron na po tayong...may mga hinain po na impeachment proceedings sa ating Bise Presidente. At sa akin pong pagkakaalam, ito po ay kaugnay sa Confidential Fund. So, ito po ay dudulugin na pag ito po'y nai-refer sa Committee on Justice. So, sa akin pong paniniwala ay iyon na po iyong...at iyon din po iyong mga suhestiyon ng ating mga Miyembro na doon po...doon po tutumbukin iyong imbestigasyon.

Pangalawa po, nagsalita na rin po iyong AFP na nagkakaroon na rin po sila ng internal investigation patungkol po dito sa pangyayaring ito...

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THE CHAIRPERSON. (Continuing)...pangyayaring ito. Kaya po mas minarapat po ng mga Miyembro na ito po ay ibigay sa pamunuan ng AFP nang hindi po tayo makasagabal sa kanilang pag-iimbestiga.

REP. F. L. CASTRO. Iginagalang ko, Mr. Chair, 'no, I respect po iyong decision ng Member ng Committee on Good Government and Accountability. Pero I just would like to put on record po iyong aking manifestation na ako po, as ako po iyong, ano, 'no, iyong...I mean, nag-ano, 'no, nagsiwalat ng tungkol dito sa Confidential Fund. So, hindi po ako, kumbaga, nasasapatan na matigil na doon sa AFP dahil alam naman natin, 'no, hindi rin po ako, wala rin po akong tiwala na magkakaroon ng partial investigation patungo doon dahil alam naman natin tauhan nila iyong involveD, hindi ba? Tao nila iyong mga involved doon. Nakita naman natin doon sa ating mga investigation na wala namang national security involved, 'no, wala namang...Ang involved dito, Mr. Chair, ay iyong interest, national interest ng taumbayan, ang pondo na 612, na kagaya nga ng sinasabi ni Raoul Manuel, sinasabi ni Congressman Luistro na kung nagamit ng maayos iyan, nabigay natin iyan sa ating mga estudyante, sa education, at pangangailangan pa ng ating mga mamamayan.

So, ang tanong ko po, Mr. Chair, iyon po bang investigation ng AFP, hindi na tayo involved doon? At kailan nila sasabihin po iyong investigation? Kailan sila magkakaroon po ng report doon sa investigation? Kailan matatapos? Binigyan po ba natin sila ng time frame, Mr. Chair?

THE CHAIRPERSON. Tayo po'y makikipag-ugnayan po sa AFP. And in addition to that, tayo po kasi ay recommendatory lamang, ang pupuwede po natin na gawin. We can recommend the filing of cases to erring officials, pero hindi po kasi tayo ang tagalitis. Ang proper ahensya po na pupuwede pong maglitis diyan ay iyong Office of the Ombudsman. Ito po iyong mga ahensya na dapat pong maglilitis. At sa hanay naman po ng AFP, ang alam ko po mayroon po silang JAGO, kung tawagin po iyan, or iyong court martial, kung hindi po ako nagkakamali.

REP. ADIONG. Mr. Chair, with this...

REP. F. L. CASTRO. Thank you, Mr. Chair.

THE CHAIRPERSON. With the indulgence of Congresswoman Castro.

REP. F. L. CASTRO. I yield to Cong. Zia.

THE CHAIRPERSON. Congressman Zia.

REP. ADIONG. Thank you po, Mr. Chair.

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Naintindihan po natin iyong hinaing ni Congresswoman France Castro. Tama po siya. Siya po iyong unang nagsiwalat nitong Confidential Funds.

Mr. Chair, gusto ko lang pong i-remind ang Committee Members, lalong-lalo na po ang Chair kasi siya…noong pinag-usapan po natin ito, iyong purpose po talaga po natin is tingnan kung paano na-abuse itong Confidential Funds. Let me just put into record, Mr. Chair, that Intelligence Funds and Confidential Funds are not intrinsically evil. It is how the usage and utilization of these funds are, ano, that makes it bad in a way kasi may abuses. That's why we introduced two piece… pieces of legislation kung paano idi-define, kung… ano ba iyong Confidential Funds? Kapag sinabi mong Confidential Funds, ano ba ang definition nito? Anong technical na parameters na pupuwede nating ma-consider na Confidential Funds? Pangalawa, alin ba sa mga ahensya ang dapat pagbigyan?

So, we have already accomplished that, Mr. Chair. In fact, doon po sa pangunang… pambungad na statement po ng ating Chairman ay sinabi niya po iyan, in aid of legislation.

As to, Mr. Chair, culpability, tama po iyong sinabi ni… ng Chairman na mayroon pong mga ahensya sa eheku… sa Judiciary o Ehekutiba ang maaaring mag-pursue nitong ganitong mga kaso. At gusto ko lang pong linawin din po at ire-emphasize iyong sabi po ni Chairman sa ating Kagalang-galang po na France Castro, may way naman po talaga to hold these officers accountable. Apart from their… what they're doing right now as part of the internal investigation, they are also already the complaint, 'no, impeachment complaint. Which I believe if we are really… if we are to push to the accountability side of this issue, then that's the perfect avenue for these Members to discuss about culpability, allegedly, of these two officers, Mr. Chair.

REP. F. L. CASTRO. Thank you for that, Mr. Chair.

THE CHAIRPERSON. Thank you po. Congresswoman France Castro, you are recognized.

REP. F. L. CASTRO. May I continue, Mr. Chair.

Thank you for that intervention, Cong. Zia.

So, siguro ang worry ko na lang dito, Mr. Chair, so, ito ay inimbestigahan natin, nakita talaga natin iyong anomalya dito sa Confidential Funds na talagang ang paggamit nito ay talagang nakita natin, ano, iyong maling paggamit nitong Confidential Funds, at ang nasalang dito iyong SDO at saka iyong mga officers. Iyong utos, 'no, puwedeng… maaaring itanggi iyan, eh, 'no, ni…maaaring itanggi

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iyan noong highest official ng office na inutos niya iyon or whatever. So, talagang ang maiipit dito, Mr. Chair, ay iyong dalawang SDO, baka malamang-lamang niyan maabsuwelto dito sa... si Vice President Sara Duterte. So, iyon lang iyong takot ko. Kung hindi natin iyan itutuloy-tuloy at pabayaan natin sa AFP.

But, anyway, I respect the wisdom of the Committee Members dito sa Good Government. At ito ba ang... siguro hindi ninyo rin... we can answer it or not na, so, ibig sabihin itutuloy na natin ito doon sa impeachment na lang, Mr. Chair, itong mga findings natin dito? Through the Justice Committee na lang ba? Eh, sa ngayon po, wala pa yatang gumagalaw sa impeachment, eh, 'no? Hindi pa naman ito naire-refer sa Justice Committee, 'no. At narinig ko kayo kanina, sinabi ninyo we have no time na for this impeachment. Kaya nag-aalala lang po ako na hindi natin mapapanagot si Sara Duterte dito sa kalokohan na ginawa niya sa Confidential Fund kasama ng mga binanggit na mga security at ilan pang mga ka-conspire niya sa Office of the Vice President and the Department of Education.

And one last manifestation. Since, Mr. Chair, pinag-uusapan natin dito iyong confidential funds, 2023 pa, Mr. Chair, nakapag-submit na ang Makabayan bloc, composed of Raoul Manuel... Rep. Raoul Manuel, myself, and Rep. Arlene Brosas ng dalawa po, 'no... ng dalawa pong legislative measures related to Confidential Funds. Iyong una nga po ay iyong pag-iimbestiga ng Confidential Funds, hindi lang po sa Office of the Vice President. Lahat po ng confidential funds na mga agency na nabigyan ng Confidential Funds. Kasi kung nangyayari ito sa Office of the Vice President, malamang, 'no, ako, tinitingnan po rin may mga maling paggamit din, pero hypothesis lang iyon, Mr. Chair. But, anyway, dalawa po, 'no, iyong inihain natin, House Resolution to investigate all, kasi baka sabihin ng mamamayan natin, baka sabihin ng taumbayan, sini-zero in lang natin iyong Confidential Funds ng OVP.

Tayo po ay nagpasa na ng House Resolution para imbestigahan ang lahat ng mga ahensya dahil... Pangalawa, mayroon po kaming bill na ipinasa na i-abolish talaga itong Confidential Funds dahil... lalong-lalo na sa mga government, non... national government agency dahil...ito nga, 'no, ang hirap talagang masunod itong JC na ito, Mr. Chair.

Iyon po, 'no. Siguro dapat maisaalang-alang din iyong mga ipinasa namin na... na ano, 'no, na measures, Mr. Chair.

Thank you po.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize Honorable Jefferson Khonghun.

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REP. JEFFERSON F. KHONGHUN. Mga Kagalang-galang na Miyembro ng Komite. Ang mga ebidensiyang inilahad sa Komiteng ito ay malinaw at hindi maikakaila. Sa ilalim ng mga pondo na inilaan para sa Confidential Fund ng Tanggapan ni Vice President Sara Duterte, nakitaan natin ng malubhang paglabag at maling paggamit ng pondo ng bayan.

Ang mga pondo na may layuning maglingkod sa pambansang seguridad at iba pang makatarungang layunin ay hindi ginugol alinsunod sa mga itinakdang layunin ng ating batas. Sa halip, ito ay ginamit sa hindi awtorisadong (*authorize*) gastusin.

Sa pamamagitan ng dokumento at record ng pinansyal, napatunayan natin na ang mga pondo na ito ay nagamit sa paraang hindi sumusunod sa mga pamantayan ng transparency at accountability.

Sa patuloy na pagsusuri ng mga record ng pondo, matibay ang patunay…

(MR. REUBEN JAY D. INOCENCIO TOOK OVER)

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REP. KHONGHUN. (Continuing)...matibay ang patunay na may mga pondo na hindi dumaan sa tamang proseso, at ang paggastos ay naganap nang walang sapat na pagsisiyasat o pagpapakita ng kahalagahan ng integridad.

Ang pondo...Ang mga pondo na dapat sana ay ginugol para sa kapakanan ng nakakarami ay naging instrumento ng maling pamamahala at pag-abuso sa kapangyarihan. Ipinakita rin dito sa Komiteng ito na ang mga dokumento at mga tiwaling aktibidad na nagpakita ng hindi awtorisadong paggamit ng pondo at mga gastusin ay hindi naaayon sa mga layunin ng mga pondo ng gobyerno.

Ang mga gawain na...Ang mga gawain ng Office of the Vice President ay hindi lamang isang simple o 'di sinasadyang pagkakamali kung hindi isang sadyang pang-aabuso ng posisyon at kapangyarihan upang mapaki...upang mapakinabangan ang pondo ng ating bayan. Ang mga pondo na ito ay hindi rin nailathala nang tama at hindi dumaan sa masusing pag-o-audit ng mga kinauukulang ahesya. Kasama na sa paglabag ang hindi tamang paggamit ng Confidential Fund sa mga proyekto o gastusin na walang basehan o sapat na pagpapaliwanag na nagdulot ng lubhang pang-aabuso sa tiwala ng ating mamamayan.

Ayon sa ating batas, ang plunder ay isang kasong may kinalaman sa hindi tamang paggamit ng yaman ng gobyerno. Sa kasong ito, naipakita natin na ang pagkilos ni Vice President Sara Duterte ay nagsanhi ng matinding pinsala sa kaban ng bayan at tiwala ng mamamayan sa ating institusyon.

Bilang Miyembro ng Kongreso, tungkulin natin na tiyakin ang pondo ng bayan ay ginagamit sa tamang paraan, at may tamang pagsusuri. Hindi natin maaaring hayaan na ang mga posisyon sa gobyerno ay maging instrumento ng pang-aabuso. Kaya't kami, mga Miyembro ng Komite, ay humihiling na ang Komite ay magbigay na nararapat na aksyon upang matiyak ang accountability at pananagutan sa kasong ito. Ang katarungan at transparency ay nararapat para sa bawat mamamayan at nararapat lamang na ipakita natin na ang mga opisyal ng gobyerno, anuman ang kanilang posisyon, ay hindi nakakataas sa batas. Hinihiling namin na itaguyod ng Komite ang mga hakbang upang tiyakin na walang sinuman ang magiging ligtas mula sa ligal na konsekwensiya ng kanilang mga maling gawain at pagkakamali.

Mr. Chair, maraming-maraming salamat po.

THE CHAIRPERSON. Thank you, Vice Chair Khonghun.

The Chair would like to recognize the Honorable Mika Suansing.

REP. MIKAELA ANGELA B. SUANSING. Thank you very much, Mr. Chair.

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Mr. Chair, I would just like to supplement the extensive discussions that my distinguished colleagues have started with regard to the summary of all of our findings since we started our proceedings last September, Mr. Chair.

Mr. Chair, what we have discovered throughout our eight hearings have been very alarming and unacceptable. So, Mr. Chair, siguro po ang gusto ko pong gawin ngayong araw, tulad po ng ginawa ng aking mga kasamahan, ay i-summarize po iyong ilan sa ating mga nadiskubre, ano po iyong mga natuklasan natin sa kahabaan po noong ating mga deliberasyon.

Mr. Chair, sa mga taong 2022 at 2023, 612.5 million in Confidential Funds ang inilaan kay Vice President Duterte bilang pinuno ng Office of the Vice President at bilang Secretary ng Department of Education. This allocation of Confidential Funds was unprecedented. Ito ang kauna-unahang pagkakataon na ang OVP at ang DEPED ay nagkaroon ng Confidential Funds na ganito kalaki ang halaga—500 million para sa OVP at 37.5 million naman po para sa DEPED.

Mr. Chair, our Constitution reminds us that public office is a public trust, and as such, public officials must always be accountable to the people. Ang Confidential Funds ay nagmumula sa kaban ng bayan. Dahil dito, pananagutan po ni Vice President Duterte bilang pinuno ng OVP at ng DEPED sa taong-bayan na siguraduhing ang Confidential Funds na ipinagkatiwala sa kaniyang opisina ay nagagastos sa wastong paraan.

Sa takbo ng ating mga deliberasyon, Mr. Chair, paulit-ulit nating tinanong, "Paano nagamit ang Confidential Funds?" "May kakulangan po ba sa mga kasalukuyang mga batas at mga guidelines ang mga ahensiya?" "Paano dapat amiyendahan ang mga batas at mga guidelines para mapigilan ang posibleng katiwalian?" Kaya po sinasabi nating ginagawa natin ang inquiry na ito, Mr. Chair, in aid of legislation dahil importante po na malaman natin kung ano po ang mga kakulangan sa mga batas at mga guidelines para malaman po natin paano po natin maaamiyendahan at mapapagbuti ang mga ito. Mr. Chair, responsibilidad po natin ito, trabaho po natin ito bilang mga Legislators. Hindi po ito pamumulitika.

Next slide, please.

The OVP spent 500 million pesos while the DEPED spent 112.5 million pesos. The 500 million pesos of the OVP was given in four tranches. Iyong una po, noong huling quarter ng 2022 at iyong tatlo po ay ginawa sa unang tatlong quarter ng taong 2023. Para naman po sa Department of Education, ang 112.5 million ay

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nailabas po sa loob ng tatlong tranches sa unang tatlong quarters ng taong 2023 sa halagang 37.5 million bawat isa.

Ang sunod na tanong, Mr. Chair, paano po nailalabas ng OVP at ng DEPED ang pondo? Ito po ang natuklasan ng ating Komite.

On the part of the OVP, the process starts with the Vice President hand-in-hand with her Chief of Staff, Ms. Zuleika Lopez, who directs the preparation of the disbursement voucher. The Chief Accountant of the OVP, Mr. Julieta Villadelrey, certifies the availability of cash and completeness of the supporting documents. When this is done, the Assistant Chief of Staff, Mr. Lemuel G. Ortonio, approves the voucher for payment. Next, a check is issued and is circulated for signature. The authorized signatories of the checks for the OVP are Mr. Ortonio and Atty. Rosalynne Sanchez. Once the checks are signed, the Special Disbursing Officer, Ms. Gina Acosta, claims the checks and acknowledges receipt. Thereafter, Ms. Acosta takes the checks to Land Bank for encashment and deposit. The process on the side of the OVP ends with the actual disbursement of the funds by the SDO, Ms. Gina Acosta.

Mr. Chair, mula po sa flow chart na ito, mayroon pong ilang mahahalagang obserbasyon na gusto ko pong bigyang diin.

Una po, kapansin-pansin na lahat ng career officials ng OVP ay involved lamang sa pagsertipika. Ibig sabihin po, pagdating lang po sa pagsisigurado na may pera at kumpleto ang mga dokumento na kailangan para ma-release ang funds. Pero sino po ang mayroong kritikal na ginagampanan na mga papel? Mukha pong mga tao na nakapaligid po sa ating Bise Presidente nang mahaba nang panahon. Karamihan po sa kanila, mga taga-Davao o galing pa po sa Davao. Sila po ang mga kritikal na signatories na sinisigurado na ma-re-release ang pera. Halimbawa po nito, si Mr. Ortonio bilang officer na siya'ng nag-aapruba ng payment ng Confidential Funds. Siya din po ang isa sa dalawang signatories para po sa mga tseke.

Second, Mr. Chair, napag-alaman po natin mismo na inamin ni Ms. Acosta na bagama't siya po ang Special Disbursing Officer na nagbibigay...na dapat sana na nagdi-disburse ng pera, inamin mismo ni Ms. Acosta na hindi siya ang nagbibigay ng pera sa mga recipients. In other words, Mr. Chair, she had lawf...unlawfully delegated this role to the security officer. Inamin din po ni Ms. Acosta na hindi niya alam kung saan napunta ang pera...

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REP. M. A. B. SUANSING. (Continuing)...napunta ang pera. At ayon pa sa kanya ang utos o ang direksyon ay galing po mismo kay Vice President Duterte at siya lamang ang may alam patungkol dito.

Sunod pong obserbasyon, Mr. Chair, ito po ay summary noong ating mga natuklasan po na mga anomalya pagdating po sa liquidation at disbursement ng 500 million pesos in Confidential Funds allocated to the Office of the Vice President. Una po, Mr. Chair, mga acknowledgment receipts na bogus at peke. Pangalawa po, mga liquidation reports na mukha pong kinopy *(copy)* paste lamang sa iba't ibang mga quarters. Pangatlo po, 53 million pesos na ginastos sa tinatawag po na OVP safe houses. Pang-apat po, ang nakakamakhang pag-disburse ng pera sa 103 na mga tao at iba't ibang lokasyon sa loob lamang ng isang araw ng December 23, 2024. Iyon po iyong pinakita ni Congressman Rodge Gutierrez na iyon po iyong maraming probinsiya sa loob lamang ng isang araw. At ikalima po, Mr. Chair, ang paggasta ng 125 million pesos sa loob lamang ng labing-isang araw.

Sunod po, next slide, please.

Kilalang kilala po natin at paulit-ulit na rin pong binigyang diin ng aking mga kasamahan ang ating main character na si Mary Grace Piattos na sinertipikahan na po ng PSA na walang record pagdating po sa birth certificate, sa marriage certificate, at death certificate. Mr. Chair, ang tagal na po nating hinahanap si Mary Grace Piattos pero mahirap hanapin ang taong hindi naman pala totoo. Walang Mary Grace Piattos na tumanggap ng pera. At kung walang Mary Grace Piattos na tumanggap ng pera,saan napunta ang pera?

Sunod, Mr. Chair, nandiyan din po si Kokoy Villamin na mukhang napakasuwerte po dahil dalawang beses nakatanggap ng pera mula sa DEPED at sa OVP.

Sunod po, ang mga acknowledgment receipts na mukhang pareho ang ginamit na ballpen at ultimo tinta ay pareho kahit po sinasabi na ito ay pinirmahan ng magkaibang tao.

Sunod po, mga taong magkapareho ng signature. Magkamukha po iyong lagda, hindi lang magkamukha, saktong-sakto po iyong lagda kahit magkaiba po iyong kanilang pangalan at nakatira sila sa magkaibang siyudad. Napakaliit po ng posibilidad, Mr. Chair, na may dalawang tao na magkaiba ang pangalan, nakatira sa magkaibang siyudad, pero parehong-pareho ang pirma. Mukhang ultimo ballpen, Mr.

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Chair, pareho pa po iyong ballpen na ginamit. Kahit po iyong mismong stroke, Mr. Chair, makikita naman po natin ay parehong-pareho din po.

Sunod, Mr. Chair, nakita din natin na may mga tao na bagama't magkaiba iyong pangalan at magkaiba po iyong kanilang tirahan ay pareho po iyong kanilang sulat.

Sunod po, at medyo malala po ito, Mr. Chair, dalawa po itong magkaakibat. Iyong una po may mga acknowledgment receipts po tayo na Nakita, na iyong date po na nakalagay doon sa acknowledgment receipt ay petsa kung saan wala pang Confidential Funds na nare-release. Halimbawa po, ito pong nasa ating larawan na nasa ating harapan, ang nakalagay po na date ay November 27, 2022. Pero kung maaalala po natin, ang unang release po ng confidential funds ay nagsimula noong December 21, 2022. So, paano po nagkaroon ng acknowledgment receipt para sa pera na hindi pa nare-release at naipapamigay.

Sa kabilang dako naman, Mr. Chair, sa susunod na pinapakita po nating mga larawan, mayroon ding mga acknowledgment receipts sa mga panahon na wala ng Confidential Funds na ipinapamigay. Kabaligtaran naman po ito noong pinakita natin kanina. Dito po sa ating larawan makikita po natin na ang petsa po na nakalagay ay December 21, 2023. Pero dahil wala ng kinuha na confidential funds ang Office of the Vice President sa huling quarter ng 2023 ay ang huli pong disbursement ng confidential funds para sa taon na iyon ay September 24, 2023. So, papaano po na nagkaroon ng ganitong acknowledgment receipt tatlong buwan matapos ang pinakahuling pamimigay ng pera mula po sa Confidential Funds para sa taong 2023.

Ang huling punto po, Mr. Chair, o huling mga obserbasyon na akin pong nais bigyang diin ngayon araw ay pagdating po sa usapin ng certification. Ang paggasta ng Confidential Funds ng OVP ay sinertipay *(certify)* po mismo ng ating Bise Presidente under oath. Ang kabuuan po ng 500 million pesos in confidential funds ng OVP ay kanya pong sinertipikahan. Ang sinabi po sa certification na makikita po natin dito "the expenditures are necessary and utilized for legal purposes". At anong pruweba po ang ginamit ng mga kawani ng Office of the Vice President para po patunayan po ito? Ang mga pekeng acknowledgment receipts. Mukhang pong sa atin pong nakita marami po sa mga acknowledgment receipts ay gawa-gawa lang po para makapag-submit ng documents evidencing payment ng siyang requirement po ng COA.

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At sunod po, tulad po noong sa certification kanina, ang Vice President din po ang nagse-certify o nag-aapruba ng accomplishment reports bago po ito isumite. Dito po ay nilalagdaan niya na...at sine-certify niya po na dito napupunta iyong pagkagasta ng Confidential Funds. Tulad po ng nakikita dito sa larawan, pinirmahan po mismo ng ating Bise Presidente ang mga accomplishment reports na ito bago po isinumite sa COA.

So, iyon lang po, Mr. Chair. Iyon lang po iyong mga obserbasyon na nais ko pong bigyan diin pagdating po sa ating mga natuklasan pagdating po sa paggasta ng Confidential Funds sa parte po ng Office of the Vide President. Siguro, Mr. Chair, kaya po natin ginagawa ito sapagkat sa haba po noong ating mga deliberasyon at hearings, mahalaga po na ngayon po ay bigyang diin natin kung ano ba iyong mga mahahalang punto, ano po iyong mga posibleng anomalya at katiwalian na atin pong natuklasan sa tatlong buwan po ng ating deliberasyon. Kaya iyon lang po, Mr. Chair.

Maraming salamat po.

THE CHAIRPERSON. Thank you, Congresswoman Mika Suansing.

The Chair would like to recognize the Honorable Pammy Zamora.

REP. AMPARO MARIA J. ZAMORA. Magandang hapon po, Mr. Chair.

Tulad ng mga obserbasyon ng aking colleague na si Congresswoman Suansing patungkol sa OVP, ganoon din po ang ating mga naging obserbasyon sa DEPED, ano. Bilang Secretary ng Education dinederekta ng ating Vice President or then Secretary of Education ang kanyang team para i-prepare ang disbursement voucher. Kanang kamay niya...it must be noted, Mr. Chair, na kanang kamay niya dito sa DEPED ay si Atty. Sunshine Fajarda, na siyang asawa naman ng DEPED Special Disbursing Officer na si Mr. Edward Fajarda. Ang Chief Accountant po ng DEPED na si Ms. Rhunna Catalan ang siyang nagse-certify naman kung available na ang cash and iyong completion po ng documents. And once everything is in order, si Ms. Annalyn Sevilla po, Undersecretary for Finance, approves the check for payment. Pinipirmahan naman po ito ni Ms. Sevilla at ni Gloria Mercado, siyang dalawang authorized signatories ng DEPED. After which, Mr. Edward Fajarda, bilang SDO, ang siyang tumutungo sa Land Bank at nag-e-encash ng mga tsekeng ito. Similar to the OVP, the DEPED key individuals in the preparation and disbursement of Confidential Funds are those who have been familiar with the Vice President even before she assumed office. They were all with her when she was Mayor of Davao City.

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Like Ms. Gina Acosta, Mr. Fajarda is the SDO and trusted to disburse...

(MS. MARIA TERESA G. MARMITA TOOK OVER)

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REP. A. M. J. ZAMORA. (Continuing)...trusted to disburse the Confidential Funds to different recipients. Pero...and also, much like Ms. Acosta, binibigay rin po niya, according sa kanyang statement, ang 37.5 million na kanyang na-encash na Confidential Funds each time sa security officer ng DEPED, might, I say, unlawfully niyang binibigay ito. At the end of the day, sino nga po ba talaga ang nakakaalam ng lahat ng ito? Dahil hindi nakakasagot ang SDO, siyempre, ang nakakaalam lang po ng lahat ng ito ay ang DEPED Secretary dati na si Vice-President Sara Duterte. At katulad din po ng OVP, marami rin pong katanungan patungkol sa Confidential Funds ng DEPED. Maraming mga kaduda-dudang acknowledgment receipts na hindi tayo sigurado sa kinapuntahan. Mga acknowledgment receipts na mukha namang pare-parehas ang nagsusulat. Mga liquidation reports na mukhang mabilisan lamang na ginagawa—copy-paste nga lamang. Ang mga tao who have supposedly used and benefitted from the use of Confidential Funds, completely denied na nagamit nila ito. AFP commanders, under oath, ay sinabing kung alam lang sana nila na gagamitin ang mga certifications just to...to justify expenditure of the Confidential Funds, hindi sana nila i-issue ang certifications na ito. And on top of this, mukhang ang SDO ng DEPED ay marunong pala mag-teleport, Mr. Chair, dahil in one day nakaka-disburse po siya ng funds mula Aparri po hanggang Jolo.

Based sa pahayag ni Major General Nolasco Mempin—kung naaalala ng ating mga colleagues—noong naisyuhan ang DEPED ng Audit Observation Memorandum ng COA o AOM, ang Secretary ng Education asked him certification from the AFP. Under those instructions, he requested and was given these certifications for the Youth Leadership Summits conducted by the AFP. Klaro po, walang DEPED Confidential Funds na nakarating sa AFP. Itong mga certification ng AFP ay ginamit lamang upang makasumite ang DEPED sa COA ng kanilang kinakailangan dokumento. They just used the AFP certifications to justify and explain their supposed 15 million in Confidential Funds representing rewards to informers. Katulad din po sa OVP, napakaraming maanomalyang acknowledgment receipts ng DEPED.

I will be showing on the screen right now acknowledgment receipts of persons with almost the exact same stroke ng pagpirma. In fact, hindi man halos mabasa ang pag...doon sa pangalawang pangalan, hindi halos mabasa iyong panunulat noong gumawa nito.

Sa slide naman na...sa susunod na slide natin, mayroon din naman pong mga indibidwal na dalawang beses nakatanggap. Ito si Milky Secoya na pinakilala sa

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atin kanina, dalawang beses po siya makakatanggap sa DEPED pero magkaiba po ang pirma sa unang Milky Secuya sa pangalawang Milky Secuya. Mayroon din naman po tayong acknowledgment receipts na kung saan ang Confidential Funds ay na-disburse on the same day on completely different locations. Dito po makikita natin, nag-disburse ang DEPED sa Makati at sa Cebu on the same day, March 4, 2023.

Lastly, similar to her role in the OVP, then DEPED Secretary Sara Duterte, siya din po ang pumirma ng certification and accomplishment reports of DEPED attesting that the funds were used in accordance with the law. These certifications were made under oath, again, as said by Congresswoman Luistro, before a notary public notarized by a…Atty. Rhoscel Abella. Nanumpa po ang ating Bise Presidente, Mr. Chair, na ang Confidential Funds na ginamit ay naaayon sa batas, pero sa ating dinami-daming hearing na pinagdaanan mukha naman po talagang hindi ganoon ang nangyari. Maraming salamat po, Mr. Chair.

THE CHAIRPERSON. Thank you, Congresswoman Pammy Zamora.

The Chair would like to...before I recognize the Honorable Ortega, the Chair would like to recognize the Vice-Chairperson from the 7th District of Cavite, the Honorable Crispin Diego "Ping" Remulla—Good afternoon, Sir.

The Chair would like to recognize the Honorable Francisco Pao Ortega.

REP. FRANCISCO PAOLO V P. ORTEGA. Thank you, Mr. Chair. Bago po tayo magtuloy, Mr. Chair, may I...I would like to manifest and request at the same time that the Secretariat prepare and play our balik-tanaw video for the Committee, Mr. Chair.

Video Presentation

THE CHAIRPERSON. Congressman Pao Ortega, you are recognized.

REP. ORTEGA. Thank you, Mr. Chair. As we all can see, all of these acts happened under Sara Duterte's watch during her term as the Vice-President of the Philippines. Siya po ang nag-certify na tama ang liquidation, ibig sabihin tama po lahat ang isinumite nilang documentation.

As the second highest ranking official of the government, the Vice-President enjoys a high level of public...public trust and confidence. She took an oath to preserve and defend the Constitution and to execute laws of the country. She is accountable to the people and has the duty to serve them with the utmost

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responsibility, integrity, loyalty and efficiency. But rather than observe faithfully her oath to defend the Constitution, she sought to undermine the foundational principles, transparency and accountability. She failed to ensure that these Confidential Funds, which are people's money, were properly spent. Nagalit siya nang siya ay tinanong. Nagalit siya, bakit daw siya pino-prosecute. Kitang-kita natin na may mali. Kitang-kita ng publiko na may mali, so bakit hindi tayo magtanong? Responsibilidad namin ito bilang Representante ng taong-bayan. Ang mali po ay tumahimik at magwalang-kibo. Ang sabi nga po ni Albert Einstein, "The world is a dangerous place not because those who do evil...of those who do evil, but because of those who look...look on and do nothing."

Nasusubaybayan po nating lahat kung paano nagamit ng incumbent Vice-President ang mga loopholes ng batas upang maka...makuha ang 6 point...612.5 million na Confidential Funds. Dalawang pasko ang lumipas na nalustay niya at kasabwat...kasabwat niya ang pera ng bayan. Para siyang Santa Claus ng OVP at DEPED na namimigay ng pera na pinaghirapan ng taong-bayan. Pero, hindi pinapamigay, mukhang binubulsa pa. In short, yumayaman si VP Sara at ang kanyang kasamahan habang marami pa ang kumakapit pa rin sa patalim. Itong unting patak ng pera mula sa supposedly charitable programs ay makakalunas sa paghihirap at lalong-lalo na sa karamihan. Puwede na rin sana itong pantulong at...kung hindi sana niya binulsa.

This is a crime of the highest order. This is not...this is not only a culpable violation of the Constitution but a betrayal of the trust of the people that had been given to her. Mahigit kalahating bilyong piso. Ilang classroom na sana ang napagawa nito. Ilang libro na at laptop sana ang nabili at nagamit ng perang ito. Ilang feeding programs na po, Mr. Chair, ang maaaring isinagawa. Hindi ito biro. Hindi biro ang kalahating bilyong piso. Sa laking bagay sana kung nilaan ang perang ito sa lehitimong programa ng gobyerno.

Maraming estudyante at mga guro pam...sa pampublikong paaralan ang nagsisiksikan sa masikip at mainit na classrooms. Maaaring estudyante...

(MS. EDITHA S. MORALES TOOK OVER)

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Service Director
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REP. ORTEGA. (Continuing)...estudyante ang naglalakad ng ilang kilometro araw-araw at tinitiis ang init ng araw. Iyong iba, kailangang tumawid ng ilog para makapasok sa eskwelahan. At ang ating mga guro, nagpapatuloy sa pagturo sa kabila ng kakulangan ng resources. Madalas kailangang umutang para matustusan ang pangangailangan ng kanilang pamilya. Dahil kulang ang suweldo, isa sila sa pinaka-pinagkaitan ng kalahating bilyong piso. Ang bawat mamamayang Pilipino ay ninakawan ng mahigit kalahating bilyong piso, Mr. Chair.

It cannot be ignored that the inquiry conducted by this Committee gains so much traction from the public. Sinubaybayan po tayo ng taong-bayan, especially as the Committee continued to uncover anomalies in the disbursement and liquidation of the Confidential Funds of the OVP and DEPED.

Last week, dalawang complaint for impeachment po ang inihain sa Kamara by various groups and various sectors, calling for the impeachment of the incumbent Vice President Sara Duterte. In both complaints, the incumbent Vice President Sara Duterte was charged with misused of 612 million in confidential funds as discovered by this Committee.

The misused allegedly amounted to a betrayal of public trust, culpable violation of the Constitution, graft and corruption, and all grounds for impeachment of a sitting Vice President under the 1987 Constitution.

Noong simulan po namin ang inquiry na ito, tulad niyo, hindi po namin inaakala na ganito ang matutuklasan namin. Aayusin po namin ang mga batas na natuklasan ding maraming butas kaya may nakakalusot. Habang tinatalakay po namin ang usaping ito, marami ang nasaktan, marami ang nagsabi, kami ay nanggigipit. Hindi po. Ginawa po namin ang aming trabaho. Mahirap? Oo, dahil this is about a very popular Vice President. There is the greater duty of ensuring public accountability and transparency. So, let the chips fall where they may.

Maraming salamat po, Mr. Chair.

THE CHAIRPERSON. Are there any other matters that the Member would like to discuss? Wala na po ba?

There being no more matters to discuss, do I hear a motion?

REP. F. L. CASTRO. Mr. Chair, last manifestation before we end.

THE CHAIRPERSON. Yes, Congresswoman France Castro.

REP. F. L. CASTRO. Thank you, Mr. Chair.

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So, isang last manifestation na lang po, Mr. Chair. Dagdag ito doon sa una ko pong manifestation. I completely agree as to the criminal liabilities of the Vice President Sara Duterte.

In addition, I would like to stress na isa rin sa napakahalagang tungkulin natin sa Kongreso, particular dito sa House of Representatives, ang tungkulin natin na simulan ang...imbestigahan or initiate...or investigator here, ang impeachment na tinatawag na impeachable officers o matataas na opisyal na hindi maaaring tanggalin sa posisyon bukod sa proseso ng impeachment.

Kabilang dito ang Bise Presidente, noong nakaraang lingo, nag-step one na...nag-step one na ang 72 individuals mula sa iba't ibang mga organisasyon na advocates ng mabuting pamamahala at pananagutan ng mga opisyal. Layon ng People's Impeachment complaint na i-impeach si Sara Duterte bilang Bise Presidente ng Pilipinas dahil sa pagtataksil sa tiwala ng publiko kaugnay ng 612.5 million Confidential Funds ng Office of the Vice President at ng DEPED mula December 2022 hanggang 3rd quarter ng 2023. At ginamit nila ang mga...ang rebelasyon mula sa Komiteng ito. Ito ang acts ng pagtataksil sa tiwala ng publiko na ginawa ng Bise Presidente Duterte.

Una, pagtataksil sa tiwala ng publiko sa pamamagitan ng kanyang malubhang pag-abuso sa kanyang discretionary power, iyong 612.5 million confidential funds mula December 2022 hanggang 3rd quarter ng 2023.

Ikalawa, pagtataksil sa tiwala ng publiko sa pamamagitan ng kanyang malubhang pagbabalewala sa transparency at accountability. Ginagawa niyang katatawanan ang proseso ng audit at pag-uutos sa mga subordinate na maghanda ng hindi kapani-paniwalang mga liquidation reports na sinusuportahan ng mga pekeng accomplishment reports at mga palsipikadong dokumento. Pangalawa, isumite ang mga ito sa Commission on Audit upang suportahan ang kaduda-dudang paggamit ng Confidential Funds na hindi naaayon sa mga batas at regulasyon na nagdudulot ng malaking pinsala sa gobyerno at mga taxpayer.

At ikatlo, Mr. Chair, pagtataksil sa tiwala ng publiko na sa pamamagitan ng kanyang kapabayaan sa tungkulin, sa kanyang sadyang pagtanggi na kilalanin ang congressional oversight sa mga deliberasyon ng mga budget at ang awtoridad nito na magsagawa ng mga pagtatanong bilang tulong sa paggawa ng batas.

Panawagan natin, Mr. Chair, na i-honor ang pagkilos ng mga mamamayan na nagsampa ng People's Impeachment Complaint. Ang Bise Presidente ay nanatili sa puwesto. Mananatiling may hawak sa public funds. Kung hindi natin tatangnan ang

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ating tungkulin to impeach official like Vice President na ibinigay sa atin ng Constitution, Mr. Chair.

Salamat, Mr. Chair.

THE CHAIRPERSON. With that, Congressman Rodge Gutierrez.

REP. GUTIERREZ. Mr. Chair, motion to suspend session.

THE CHAIRPERSON. There's a motion to suspend. Is there any second to the motion?

REP. M. A. B. SUANSING. Second.

REP. F. L. CASTRO. Second.

VOICES. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried. The Committee hearing of the Committee on Good Government and Public Accountability is hereby suspended until further notice.

The meeting was suspended at 1:58 p.m.

CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

EDITHA S. MORALES
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

RIALYN G. REYES
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

REUBEN JAY D. INOCENCIO
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

HANNAH P. GOMEZ
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

MARIA TERESA G. MARMITA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ANNEX "Q"

HOUSE OF REPRESENTATIVES
LIRMD - LAMG
RECEIVED
Name: Nene
Date and Time: Jan. 23, 2025

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

3rd Regular Session, 19th Congress

COMMITTEE ON GOOD GOVERNMENT AND PUBLIC ACCOUNTABILITY

DATE : 11 November 2024

TIME : 9:00 A.M.

VENUE : Second Floor
People's Center Building
House of Representatives
Batasan Hills, Quezon City

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Service Director
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REP. JOEL R. CHUA **- CHAIRPERSON**

ATTY. SHERYL CHRISTINE V. LAGROSAS - ACTING COMMITTEE SECRETARY

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The meeting was called to order at 9:16 a.m.

THE CHAIRPERSON. The Committee hearing of the Committee on Good Government and Public Accountability is now called to order.

May I request the Honorable Jude Acidre for the opening prayer? Let us all stand up.

REP. JUDE A. ACIDRE. Let us put ourselves in the presence of the Lord.

In the name of the Father, and of the Son, and of the Holy Spirit.

Heavenly Father, we come before You today with humble hearts as we begin this congressional investigation. We ask for Your guidance and wisdom as we seek the truth and uphold the values of transparency, justice, and accountability in governance. Bless each Member of this Committee with clarity of mind and integrity of spirit in a sincere dedication to the common good. Grant us a courage to ask the right questions with the patience to listen with discernment and the wisdom to act in ways that honor the trust of the people we serve. Lord, we lift up to You our nation and all those affected with the deliberations that we will hold today. May this hearing be a step towards restoring confidence and public institutions and ensuring that governance remain a tool for the welfare and progress of all. Guide us, O Lord, so that in all we do, Your will be done and Your justice be reflected in all our actions, for Yours is the kingdom, the power and the glory, now and forever. Amen.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE CHAIRPERSON. Please remain standing for the singing of the national anthem.

Singing/Playing of the Philippine national anthem

THE CHAIRPERSON. Puwede na po tayong umupo.

We will now proceed to the roll call of all Members. Do I hear a motion to dispense with the calling of the roll?

REP. RAMON RODRIGO L. GUTIERREZ. Mr. Chair...

REP. FRANCISCO PAOLO P. ORTEGA V. Mister...

REP. GUTIERREZ. ...I move to dispense with the calling of the roll.

REP. ORTEGA. Second.

THE CHAIRPERSON. There is a motion to dispense with the calling of the roll, which is duly seconded. Is there any objection? Hearing none, the motion is carried.

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May I request the ComSec to please acknowledge all the Members as well as all the resource persons and witnesses?

THE ACTING COMMITTEE SECRETARY. Good morning, Your Honors.

May we welcome for today's hearing, 5th hearing, the following Members: Hon. Romeo M. Acop, Vice Chairperson from the 2nd District of Antipolo City; Hon. Ramon Rodrigo L. Gutierrez from 1-RIDER Party List; Hon. Rolando M. Valeriano, from the 2nd District of Manila; Hon. Francisco Paolo P. Ortega from the 1st District of La Union; Hon. Dan S. Fernandez from the Lone District of Sta. Rosa City; Hon. Raul Angelo "Jil" Bongalon from AKO BICOL Party List; and—sorry—Hon. Joseph Stephen "Caraps" S. Paduano from ABANG LINGKOD Party List; Hon. David "Jay-Jay" C. Suarez, Deputy Speaker from the 2nd District of Quezon; Hon. Jude A. Acidre, Deputy Majority Leader from TINGOG Party List, Your Honor. With that we have a quorum, Your Honor.

Now, moving on to the recognition of the resource persons or witnesses. Your Honor, we have in attendance from the Office of the Vice President, Atty. Rosalynne L. Sanchez, Director for Administrative and Financial Services of the Vice President...of the Office of the Vice President; Ms. Julieta Villadelrey, Chief Accountant; Mr. Kevin Gerome L. Teñido, Chief Administrative Officer; Mr. Edward D. Fajarda, former Special Disbursing Officer of the Department of Education and now an employee of the OVP, Your Honor.

That's it, Your Honor.

May we know where Mr. Fajarda is? She was...Pardon, Your Honor, there was an error in the list given to me. Thank you, Your Honor, Mr. Edward Fajarda is not present, Your Honor.

THE CHAIRPERSON. Sa mga invited po, ilan po iyong um-attend lang? Out of nine, ilan lamang po ang um-attend out of nine?

THE ACTING COMMITTEE SECRETARY. Your Honor, we have in attendance Ms. Ma. Edelyn A. Rabago, Mr. Teñido, Mrs. Villadelrey, and Atty. Sanchez. Only four out of the nine, Your Honors.

THE CHAIRPERSON. So, what is the pleasure of the Members?

REP. DAVID "JAY-JAY" C. SUAREZ. Mr. Chairman, if I may be...

THE CHAIRPERSON. Honorable Deputy Speaker, Jay-Jay Suarez...

REP. SUAREZ. Yes, thank you very much.

THE CHAIRPERSON. ...you are recognized.

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REP. SUAREZ. Unang-una po nagpapasalamat po ako doon sa mga resource persons po natin na dumalo ngayong umaga at naging positibo po ang pagtugon po ninyo sa marami po naming paanyaya at sana naman po masagot ang maraming mga katanungan at magkaroon ng kaliwanagan ang ilan sa mga issues na pinag-uusapan at matagal na pong pinag-uusapan ng Komitibang ito.

Nais ko lang pong malaman, Mr. Chair, with regards to the other resource persons, can I get clarification from the ComSec. Were you able to provide them the subpoena for today's hearing?

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honor.

Your Honor, there was a first attempt for service on November 7, which was Tuesday, at 5:30 p.m. But the server from the LSB, Mr. Santos, was refused entry into the lobby of Robinsons Cybergate Plaza by Mr. Noel. P. Casas, OIC of Masigasig Security Agency, Inc. Because, according to him, no one in the OVP will receive the subpoena *ad testificandum* on that day. A second service was then done on November 8, 2024, and this pertains to this reissued subpoena *ad testificandum*. The second service was done at 9:34 a.m.

REP. SUAREZ. This is for whom?

THE ACTING COMMITTEE SECRETARY. For all the nine, Your Honors.

However, except for Attorneys Lopez and Fajarda, whose subpoenas were refused receipt, the other seven individuals were physically present to receive their subpoenas and it was proven by the return of the LSB that they have their signatures in the subpoena *ad testificandum*, which is in the records of the Committee Secretariat available to your perusal as well, Your Honors. So, it was received by Mr. Ortonio. Atty. Sanchez, Ms. Acosta, Ms. Villadelrey, Mr. Fajarda, Mr. Teñido, and Ms. Rabago. There is also a timestamp when it was received per individual, Your Honor. At 5:55 p.m. on November...ah, pardon. Since there are two individuals who refused receipt of the subpoena, the Secretariat sent copy of the subpoena *ad testificandum* to the electronic mail of Atty. Zuleika Lopez and Atty. Sunshine Fajarda. And we received a reply from the server, the postmaster of the OVP.gov.ph that it was properly delivered to the said e-mails, Your Honor. And that was on November 8 as well, around 1:41, if I'm not mistaken, in the afternoon, Your Honor. Thereafter, at 5:55 p.m. of November 9...

THE CHAIRPERSON. November 8.

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THE ACTING COMMITTEE SECRETARY. Yes. All serve...

THE CHAIRPERSON. Okay. So, pasok tayo sa three-day rule?

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

THE CHAIRPERSON. Okay.

THE ACTING COMMITTEE SECRETARY. Thank you. Thank you, Your Honor. That's the history, Your Honor.

REP. SUAREZ. Previous to those attempts, ComSec, ilang beses po natin silang inimbitahan para dumalo sa Committee hearings natin?

THE ACTING COMMITTEE SECRETARY. Your Honor, there are at least three invitations—the first, second, third hearing. But we issued the subpoena to compel their attendance in the fourth hearing on October 28, 2024. However, due to the Typhoon Kristine, 'no, service was done on November 2, Saturday, in the Office of the Vice President. At 1:03 p.m. ...at 1:56, Your Honor, they arrived there. However, 2:12 p.m., Mr. Carlito Gallano, Detachment Commander of D'Arm Security Specialist Investigation Agency, Inc., DASSIA, refused to receive the SAT issued to Mr. Edwin Fajarda and Ms. Sunshine Fajarda. The rest were received, Your Honor. At that time, we issued seven subpoenas, Your Honor, excluding Ms. Rabago and Mr. Teñido at that time, for the October 28, 2024 hearing, which was postponed due to Typhoon Kristine, Your Honor. After that, none of them attended as well, Your Honor. And an electronic service was also done by the Secretariat same day, Your Honor.

REP. SUAREZ. So, can you just inform...

(MR. ALVIN ANTHONY F. RABULAN TOOK OVER)

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REP. SUAREZ. (Continuing)...inform me, ComSec, how many attempts, kasama ng invitation at subpoenas, ang in-exercise ng Committee para masiguro ang pagdalo noong mga resource persons natin.

THE ACTING COMMITTEE SECRETARY. Three...thrice invited, Your Honors. Twice....five times with attempts, unsuccessful attempts to be served the subpoenas, Your Honor, subpoenas *ad testificandum,* Your Honor. So, that would be eight, Your Honor.

REP. SUAREZ. Thank you very much.

So, Mr. Chair, based on the narration of our ComSec, I think, the Committee has gone over and beyond what is usually practiced by committees when it comes to invitations for resource persons and witnesses to attend our hearings. At nakikita naman po ng lahat ng mga mamamayan natin na sumusunod sa atin na regular naman po ang hearings ng Committee ng Good Government patungkol sa isyu na pinag-uusapan natin sa pondo ng Office of the Vice President at sa Office of the DepEd Secretary noong panahon po siya ay Kalihim ng kagawaran pong ito.

Ngayon po, Mr. Chair, given that there is a defiance by these resource persons, willful defiance of these resource persons, not to attend our hearings given that last hearing we already went over and beyond what is necessary for us, I think it is incumbent upon ourselves as Members of this Committee to exercise our power so that we can ensure that in the succeeding and in the following hearings that the Good Government will conduct, talagang dumalo na po sila. Kasi ilang oras po ang nagugugol at inuubos po natin para pag-usapan ito. When, in fact, we can already proceed to other pressing matters. But because of their defiance, at limbo iyong ilang mga usapin na dapat po natin tinatalakay.

So, Mr. Chair, can I just request from the ComSec.

ComSec, can you please give me a list of those invited and yet defy...and continued to defy our invitation?

Can I request for one minute suspension, Mr. Chair?

THE CHAIRPERSON. One minute suspension is declared by the Chair.

Suspension: 9:29 a.m.

Resumption: 9:30 a.m.

THE CHAIRPERSON. Committee hearing resumes.

REP. SUAREZ. Mr. Chair, can I be recognized?

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THE CHAIRPERSON. Honorable Deputy Speaker Jay Suarez is recognized by the Chair.

REP. SUAREZ. Thank you very much, Mr. Chair.

Mr. Chair, with regards to the personalities who are supposed to be here, Mr. Lemuel Ortonio, nandito po ba siya, ComSec?

THE ACTING COMMITTEE SECRETARY. Your Honor, wala po.

REP. SUAREZ. Si Ms. Gina Acosta, is she here?

THE ACTING COMMITTEE SECRETARY. Wala rin po, Your Honor.

REP. SUAREZ. She is the Special Disbursing Officer, tama po?

THE ACTING COMMITTEE SECRETARY. For the OVP, Sir, yes.

REP. SUAREZ. All right.

What about, Atty. Sunshine Fajarda, nandito po ba siya?

THE ACTING COMMITTEE SECRETARY. Not present as well, Your Honor.

REP. SUAREZ. What about Mr. Edward Fajarda, is he here?

THE ACTING COMMITTEE SECRETARY. Not present as well, Your Honor.

REP. SUAREZ. Ms. Juliet Villarey...Villadelrey?

THE ACTING COMMITTEE SECRETARY. Confirmed attendance and present here, Your Honor.

REP. SUAREZ. All right.

Mr. Kevin Tenido?

THE ACTING COMMITTEE SECRETARY. Present, Your Honor. Here, confirmed, Sir.

REP. SUAREZ. Ms. Edelyn Rabago?

THE ACTING COMMITTEE SECRETARY. Present here, Your Honor.

REP. SUAREZ. Rosalynne Sanchez?

THE ACTING COMMITTEE SECRETARY. Present, Your Honor.

REP. SUAREZ. Thank you very much.

Mr. Chair, would that being said, for the individuals–Mr. Lemuel Ortonio, Ms. Gina Acosta, Atty. Sunshine Fajarda, and Mr. Edward Fajarda, I move that we cite in contempt these individuals for their continuous defiance to attend the Committee hearings on Good Government.

THE CHAIRPERSON. Any second to the motion?

REP. JEFFERSON F. KHONGHUN. Second.

REP. AMPARO MARIA J. ZAMORA. Second, Mr. Chair.

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REP. KHONGHUN. Seconded.

THE CHAIRPERSON. Insofar as individuals–Mr. Lemuel Ortonio, Ms. Gina Acosta, Atty. Sunshine Fajarda, and Mr. Edward Fajarda, there is a motion to cite them in contempt in accordance with section 11-A, refusal to obey summons.

Is there any objection? Hearing none, the motion is carried.

REP. ROMEO M. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. Thank you, Mr. Chair.

May I move that the four resource persons who are absent and disobeyed our summons–Atty. Lemuel Ortonio, Madam Gina Acosta, ASec. Sunshine Fajarda, and Mr. Edward Fajarda—after being cited in contempt, be penalized and detained at the premises of this House of Representatives for a period up to the time the final report of the Committee is submitted for the Plenary's deliberation. So moved, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

REP. GUTIERREZ. Second, Mr. Chairman.

THE CHAIRPERSON. Duly seconded…hearing none…is there any objection? Hearing none, the motion is carried.

Madam ComSec, please take note of the manifestation of Congressman Acop.

THE ACTING COMMITTEE SECRETARY. Noted, Your Honor. The Secretariat is preparing the citation…the order cited and the orders as well, Your Honor, we'll take in full custody.

REP. SUAREZ. Is it my understanding, Mr. Chair, that given that we have already acted on the motion to cite into contempt and the proper penalty will be issued to them, ComSec can the Sergeant-at-Arms be notified of the action of the Committee?

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor. We will, Your Honor.

REP. SUAREZ. Yeah.

Now, Mr. Chair, I've also received a letter coming from Atty. Zuleika Lopez.

Similar to the other individuals that we have cited in contempt, she also has continued to defy the invitations forwarded to her although we have in receipt a letter from her which I hope we can discuss so that we can determine what the pleasure of the Committee would be. So, Mr. Chair, can I ask ComSec? ComSec, lahat po ba nabigyan na ng copy ng letter ni Atty. Zuleika Lopez.

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THE ACTING COMMITTEE SECRETARY. Secretariat was able to produce 10 copies, Your Honor. So, majority of the Members present were provided, Your Honor, at least, Your Honor.

REP. SUAREZ. Oo.

THE ACTING COMMITTEE SECRETARY. We'll distribute more, Your Honor.

REP. SUAREZ. Mr. Chair, can I ask for a two-minute suspension while we go through the letter?

THE CHAIRPERSON. Two-minute suspension is declared by the Chair.

Suspension: 9:35 a.m.

Resumption: 9:40 a.m.

THE CHAIRPERSON. Committee hearing resumes.

ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honor, I would like to recognize additional Members who are present in today's hearing. Honorable Edward Vera Perez Maceda from the 4th District of Manila; Honorable Amparo Maria J. Zamora from the 2nd District of Taguig; Vice-Chairperson, Honorable Jefferson F. Khonghun from the 1st District of Zambales; and Honorable Arnan C. Panaligan from the 1st District of Oriental Mindoro.

That's it. Thank you, Your Honors.

THE CHAIRPERSON. Thank you.

Honorable, Congressman Acop, you are recognized.

REP. ACOP. Mr. Chair, we have moved to cite in contempt Atty. Lemuel Ortonio, Madam Gina Acosta, ASec. Sunshine Fajarda, and Mr. Edward Fajarda. But I am in receipt of their letters stating that they have Travel Orders. So, may I know, Mr. Chair, because I would like to find out whether the...the Committee would accept the excuse letters or the reason for their absence of Atty. Ortonio, Madam Villadelrey, Madam Acosta...no, except for Madam Delrey kasi nandito po siya...ASec Sunshine Fajarda, and Edward Fajarda. Are we going to disregard...

(MS. EMERITA E. AVILA TOOK OVER)

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REP. ACOP. (Continuing)...disregard their excuse letter, Mr. Chair?

REP. DAN S. FERNANDEZ. Mr. Chair, if I may...

THE CHAIRPERSON. Yes, Congressman Dan...

REP. FERNANDEZ. ...with the indulgence of Chairman Acop?

THE CHAIRPERSON. ...you are recognized.

REP. FERNANDEZ. Mr. Chairman, medyo panay worrisome na itong mga excuse letter that we are being accepted by this Committee. I think they are... they have a new scheme being employed by the resource persons. Before, sila iyong mga nagpapa-ospital, sila iyong nagbibigay ng different excuses. But this time, we need to validate this excuse of Miss...Attorney Zuleika Lopez. As much as I wanted to believe her excuse, 'no, but I think iyon pong aunt niya that is living in the United States can possibly stand on her own, especially the healthcare system of the United States. And the testimony of Zuleika Lopez is so crucial on this investigation. And if we are going to allow this excuse of her, then other resource persons might follow, 'no. And we're also running out of time because come December and January, we won't be able to... to conduct hearings anymore.

So, I think, as much as I wanted to agree with the humanitarian reason that being employed by this letter, I think let's not accept this letter anymore, Mr. Chairman. They can... They can always run. They can always run, but they cannot hide anymore, Mr. Chairman.

THE CHAIRPERSON. Thank you, Congressman Dan.

Deputy Speaker Jay-Jay Suarez.

REP. SUAREZ. Actually, I am also one with the position of Congressman Fernandez given that the Committee has already exercised patience and understanding in these resource persons. I mean, huwag din natin kakalimutan, Mr. Chair, na mga public officials po ito. Trabaho po nila iyong um-attend, dumalo para maipaliwanag kung papaano ba nagastos iyong ilang mga pondo na pinag-uusapan po natin dito. However, in the same way, Mr. Chair, when I was reading the letter of Attorney Zuleika Lopez, ang nabanggit niya po kasing dahilan doon ay ipinapakiusap ng kaniyang tiyahin na makasama siya habang nasa ospital sa ibang bansa, at lahat naman po tayo ay may mga pamilya po tayo di, because of humanitarian reasons and... and, you know, maybe we can extend a little bit more our understanding.

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If my... my fellow Committee Members would accept my explanation, we can accept the letter of Attoney Zuleika Lopez but only until our next Committee hearing, Mr. Chair, dahil ako naman po, eh, resonableng tao kaso lang, siyempre, may hangganan. Ngunit kung ang hinaharap naman po ng isang indibidwal ay talaga namang isang dahilan na hindi maiiwasan, siguro po sa susunod na pagdinig ng Committee hearing wala na po siguro siyang dahilan para hindi dumalo. Para po ito kay Attorney Zuleika Lopez, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman... Deputy Speaker Jay-Jay Suarez.

REP. FERNANDEZ. Mr. Chair, *(Laughs)* kasi natatawa po ako dito talaga dito sa dokumentong ito. Siya lang ba po ba iyong pamangkin ng... noong tita niya? Wala na po bang ibang pamangkin? Wala na po ba siyang asawa na ipadadala? Because we are tackling so much issues about her. And this is a clear evasion, Mr. Chairman. Hindi po ito justified, itong letter na ito. And at the same time, I'm pretty confused, ano, with this Kaiser Permanente. Ngayon ko lang po nakita itong xerox copy na ito na... that was sent to us. At iyong mga status report that are being mentioned in here, I think this is not justifiable, Mr. Chairman. Most likely, ginawa lang nila ito or whatever, eh, but I hope this is true. Because if this is not true, and we will... we will be able to validate the truthfulness of this report, status report, hindi ba, additional problem for her.

So, anyway, dahil malaki rin po respeto ko kay DS Jay-Jay, *(Laughs)* sige po, I'll be... hindi naman po ako nag-motion, that is my manifestation, Mr. Chairman. So, I will agree with the position of the whole... whole body, Mr. Chair.

THE CHAIRPERSON. Thank you.

Insofar as Attorney Zuleika Lopez, maybe we can ask the ComSec to issue another subpoena at least to give her one more... one more chance. Do I hear a motion from the Member for the reissuance of subpoena *ad testificandum* insofar as Attorney Zuleika Lopez only is concerned? Do I hear a motion?

REP. ACOP. Mr. Chair.

REP. ARNAN C. PANALIGAN. So moved, Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Acop.

REP. ACOP. Since we have discussed the... the situation of Attorney Lopez...

THE CHAIRPERSON. No, we still have to...

REP. ACOP. Yes...

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THE CHAIRPERSON. ...move for a motion.

REP. ACOP. ...and for humanitarian consideration, may I move that we issue another subpoena to Attorney Zuleika Lopez in the... for the next hearing? So moved, Mr. Chair.

THE CHAIRPERSON. There is a motion by Congressman Acop for the reissuance of subpoena *ad testificandum* insofar as Attorney Zuleika Lopez is concerned. Is there any second to the motion?

REP. PANALIGAN. Second.

REP. KHONGHUN. Second.

REP. GUTIERREZ. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

Now, insofar as the four others, uhm... witnesses or resource persons that we already cited in contempt, as far as Edward Fajarda—sino pa ba iyon—Attorney Sunshine Fajarda, at —sino pa ba iyon...

VOICES. Gina Acosta.

THE CHAIRPERSON. ...Gina Acosta, and Attorney Lemuel Ortonio, we find their excuse as unacceptable. Considering the fact that, like, for example, in the case of Attorney Edward Fajarda, according to him, he is on official travel to monitor inventories and documents on November 10 to 15. However, the subpoena was issued to him and was received by him personally according to ComSec last October... last November 8. So, medyo lame po iyong excuse niya. Ganoon din po doon sa iba.

REP. SUAREZ. Yeah. Mr. Chair, if I may be recognized?

THE CHAIRPERSON. Yes, Congressman Jay-Jay Suarez, Deputy Speaker.

REP. SUAREZ. Yeah. Binabasa ko po itong pinadala ni Mr. Edward Fajarda, hindi ko nga alam kung siya nagpadala nito, eh, basta ang nakasulat lang po dito ay travel order niya signed by Assistant Chief of Staff Lemuel Ortonio.

Am I correct, ComSec, na ito lang po iyong pinadala ni Mr. Fajarda?

THE ACTING COMMITTEE SECRETARY. Yes, Your Honor.

REP. SUAREZ. So, in other words, Mr. Chair, wala man lang siyang paliwanag personally or in writing to the Committee as to why he is not available today. Rather, what was submitted to the Committee was a travel order signed by the Chief of Staff or does he also have a personal letter signed... sent to the Committee, ComSec?

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THE ACTING COMMITTEE SECRETARY. Your Honor, apologies, Your Honor, it is on the last page of the file that you are holding. There's a letter signed by Mr. Edward Fajarda himself. Last page, Your Honor.

REP. SUAREZ. Ang dami kasing excuse kaya medyo makapal, eh.

THE ACTING COMMITTEE SECRETARY. May I proceed to read, Your Honor, to make it easier for the Members?

REP. SUAREZ. No, no, no, I...we can get to that. Ah, ito.

Yeah. So, in the same purpose, Mr. Chair, well, thank you that he has...he has sent a letter...

(MR. JEFFREY C. OVILLA TOOK OVER)

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REP. SUAREZ. (Continuing)...sent a letter. In the same purpose, Mr. Chair, I believe that the topic at hand is so important that a trip to Caraga can actually be rescheduled just so that he can attend today's hearing. Natanggap niya naman po iyong subpoena sa kaniya, at alam niya naman po na previous to the subpoena that was received, he received it also via email. Other than that, he's been invited numerous times to attend the same hearing in the weeks passed.

So, it is my position, Mr. Chair, that with regards to the letter of Mr. Edward Fajarda, this is unacceptable for the Committee, Mr. Chair.

THE CHAIRPERSON. Ganoon din po sa iba, sa tatlo pa?

REP. SUAREZ. Ah, yeah.

REP. FERNANDEZ. Mr. Chair.

REP. SUAREZ. Yeah. Actually, iyon nga ang...

REP. FERNANDEZ. Mr. Chair.

REP. SUAREZ. Actually, yeah, Mr. Chair, Dan Fernandez.

REP. FERNANDEZ. Is it...

THE CHAIRPERSON. Yes, Congressman Dan Fernandez, go ahead.

REP. FERNANDEZ. I am reading the Certificate of Appearance of Atty. Sunshine Charry Fajarda, and the excuse that was mentioned here was nag-appear siya sa Office of the Vice President sa Panay and Negros Island noong November 5 and 9, and attached here...andito po iyong mga tickets.

Well, ang question po natin, hindi ba nila puwedeng gawin sa ibang araw iyong kanilang pagbisita doon sa kanilang Panay and Negros Island? And, at the same time, there is...there are no valid reason why they have to personally visit iyong kanila pong opisina doon sa Panay. What is so important in the...in that visitation that was conducted between November 5 and 9? So, I think, this is also evasion, and they are trying to evade our hearings. And nakakalungkot lang po, they are trying to run and hide and not to be with us. So...

THE CHAIRPERSON. In the activities, he's scheduled on November 5 to 9; today is November 11.

REP. FERNANDEZ. Yes, correct.

THE CHAIRPERSON. So, tapos na iyong activities nila.

REP. FERNANDEZ. Yeah, and there is no...there is no reason...

THE CHAIRPERSON. So, eh, 'di dapat um-attend po siya ngayon.

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REP. FERNANDEZ. ...yeah, not to attend here. And I agree with the DS that this is not acceptable.

REP. SUAREZ. In addition, Mr. Chair, doon sa sinabi ni Congressman Fernandez, medyo nakakapagtaka dahil pare-parehas silang umalis, pare-parehas silang may travel order, pare-parehas silang pinahintulutan na umalis sa araw na may hearing tayo. Now, it makes me think that there is actually a malicious intent behind all these reasons and travel orders given to them just so that they can, again, avoid attending today's hearing, Mr. Chair.

THE CHAIRPERSON. Congressman Acidre.

REP. ACIDRE. Mr. Chair, I just want to put it on record, 'no, because I remember, during the last hearing, the same persons that we've cited in contempt actually made a statement refusing to recognize the...this Committee or refusing to attend to this Committee for the reasons they stated in the statement that was read in the previous hearing.

I think, I want to put it on record that by writing to this Committee, they're basically waiving that position and recognizing. Therefore, I see no reason, Mr. Chair, that in subsequent hearings of the Committee, they would have...they would be excused anymore any longer since they have already recognized, implicitly or explicitly, by the correspondence that they have submitted, and I concur with the earlier decision to really cite the following persons in contempt.

THE CHAIRPERSON. Thank you.

Kaya po...mayroon pa po bang gustong mag...mayroon pa po bang gustong mag-comment?

REP. SUAREZ. Caraps, ayaw mong mag-comment?

THE CHAIRPERSON. Okay na?

REP. ACOP. Mr. Chair.

THE CHAIRPERSON. Congressman Acop.

REP. ACOP. I read the excuse letter of Madam Fajarda, and her reason was not...he was not able to receive the subpoena. So, if...yes, that's...ito po iyong letter niya, eh, "I am writing to respectfully inform you that I was not able to receive the subpoena which was attempted to be served last 8 November 2024." But if we look at the Travel Order of Atty. Fajarda, it was from 05 to 09 November 2024. So, puwedeng wala pa siya kasi nasa travel pa siya. So, how do we go about the...this, Mr. Chair?

THE CHAIRPERSON. ComSec.

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THE ACTING COMMITTEE SECRETARY. Good afternoon, Your Honors.

In relation to that, as report...I would refer to my previous report earlier that despite personal service and their refusal to physically receive the subpoena, the Secretariat made a substituted service through the electronic mails of Atty. Zuleika Lopez and Atty. Sunshine Fajarda, and on the same date, on November 8, 2024, or on...it was a Friday, Your Honor. After sending the electronic mail containing the subpoena *ad testificandum,* Your Honor, we, the Secretariat, deemed it prudent to ensure that there would be a delivery receipt once it is actually successfully delivered by the House server.

So, at 1:42 p.m. on November 8, 2024, we received a confirmation from the postmaster@ovp.gov.ph, a server of the Office of the Vice President, confirming that our email containing the subpoena *ad testificandum* has been delivered to the electronic mail of Atty. Sunshine Fajarda at sunshine.fajarda@ovp.gov.ph, Your Honor.

REP. FERNANDEZ. Mr. Chairman, with the indulgence of Chairman Acop.

THE CHAIRPERSON. Yes, Congressman Dan Fernandez.

REP. FERNANDEZ. Ah, lagi na pong practice iyan, eh. They refuse to accept the ano, eh, invitation, and this Representation wanted to find out who that person is and who ordered him not to accept the invitation.

THE ACTING COMMITTEE SECRETARY. May I, Your Honor?

I just looked into the report. On November 7, there was...On November 8, the person who refused to receive the subpoenas for Atty. Zuleika and Atty. Fajarda, per the report of the Legislative Service Bureau, it was a certain Atty. Emily Torrentira from the Legislative Affairs Division...

REP. FERNANDEZ. O, ayon.

THE ACTING COMMITTEE SECRETARY. ...of the OVP.

REP. FERNANDEZ. Mr. Chairman, can we invite that person, as well? And for us to find out why she ref...babae ba siya? O, Ma'am, andito po pala kayo. Why did you refuse to accept the ano?

THE ACTING COMMITTEE SECRETARY. Your Honor, oath has not been administered.

Thank you, Your Honor.

REP. FERNANDEZ. Okay. Mr. Chairman, can we administer the oath of those first time that attended this hearing?

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MS. EMILY ROSE B. TORRENTIRA (Chief, Legal Affairs Division, Office of the Vice President). [redacted]

THE CHAIRPERSON. Ipa-oath na natin silang lahat.

ComSec, puwede po ba paki-oath na lahat sabay-sabay.

THE ACTING COMMITTEE SECRETARY. Thank you, Your Honors.

To all the resource persons, including Atty. Emily Torrentira, please stand up. Including Atty. Emily Torrentira.

At this juncture, the resource persons stood up to take their oath.

THE ACTING COMMITTEE SECRETARY. But since you are willing to testify, Your Honor, and give your statements, Your Honor, it is requested that she will be giving her oath, as well, Your Honor.

MS. TORRENTIRA. [redacted]

REP. FERNANDEZ. Let her administer the oath first.

THE CHAIRPERSON. Please administer the oath first.

THE ACTING COMMITTEE SECRETARY. Yeah. Please raise your right hand.

Do you swear to tell the truth, the whole truth, and nothing but the truth in this inquiry, Your Honor?

VOICES. I do.

THE ACTING COMMITTEE SECRETARY. "I do."

The oath has been administered for the resource persons Ms. Rabago, Mr. Teñido, Atty. Sanchez, and Ms. Villadelrey. However, Atty. Emily Torrentira refuses to take her oath, Your Honors.

REP. FERNANDEZ. Mr. Chairman, I am just wondering why Attorney—what's the name of that person?—...

THE CHAIRPERSON. Attorney?

THE ACTING COMMITTEE SECRETARY. Emily Torrentira.

THE CHAIRPERSON. Emily?

THE ACTING COMMITTEE SECRETARY. Emily Torrentira, Your Honor.

REP. FERNANDEZ. ...Emily Torrentira refuses to raise her hand for the oath taking?

THE ACTING COMMITTEE SECRETARY. Yes. Yeah.

REP. FERNANDEZ. Can we ask her why refuses to take her oath?

MS. TORRENTIRA. [redacted]

REP. FERNANDEZ. You can all sit down, Ma'am. Paki upo na po.

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MS. TORRENTIRA. [redacted]

THE CHAIRPERSON. Paki…Bakit daw po…

MS. TORRENTIRA. [redacted]

THE CHAIRPERSON. …ayaw ninyong mag-take ng oath?

MS. TORRENTIRA.[redacted]

(MS. ERLINDA C. REYES TOOK OVER)

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MS. TORRENTIRA. (Continuing)...[redacted]

[redacted]

[redacted]

REP. JOSEPH STEPHEN "CARAPS" S. PADUANO. Mr. Chairman.

REP. FERNANDEZ...um-attend naman po sila dito kahit na sabihin po natin that, iyon nga po, ito po iyong sinasabi noong inyong minensyon *(mention)* a while ago, but I think somehow, sa akin personally, that that is not accepted. And isang tanong lang, Attorney, have somebody told you not to accept all those invitations?

MS. TORRENTIRA. [redacted]

REP. FERNANDEZ. So, it's...

MS. TORRENTIRA. [redacted]

REP. FERNANDEZ. So, it's your own volition?

THE CHAIRPERSON. Attorney, we will recognize you later because hindi po kayo nag-take ng oath. Okay na po iyon.

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REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. You have already said your piece.

MS. TORRENTIRA. [redacted]

REP. PADUANO. Mr. Chairman.

THE CHAIRPERSON. Congressman Paduano.

REP. PADUANO. May I ask the good attorney, what is your in this...you are not invited but you are present in today's hearing and you never take your oath, why?

REP. ACOP. As legal counsel.

REP. PADUANO. What is your presence?

MS. TORRENTIRA. [redacted]

REP. PADUANO. So?

MS. TORRENTIRA. [redacted]

REP. PADUANO. So, you are here to represent the institution. You should...before talking, you should take your oath because that is on record. You're a lawyer. You know that. You cannot speak unless and until you take your oath. That's the rule, internal rules of this House and this Committee. You cannot speak unless you take your oath or else I will move to excuse you in this room.

MS. TORRENTIRA. [redacted]

REP. SUAREZ. Point of order, Mr. Chair.

THE CHAIRPERSON. What is your point of order?

REP. SUAREZ. Mr. Chair. Yeah. I think the position of Congressman Paduano, I really don't know why she's here. Has she forwarded any explanation, written, as to her attendance?

REP. FERNANDEZ. Hindi, Mr. Chairman, Mr. Chairman...

THE CHAIRPERSON. ComSec.

REP. PADUANO. Mr. Chairman. Mr. Chairman

REP. FERNANDEZ. Mr. Chairman, a while ago she was trying to tell us that she is the representative of the Office of the Vice President. And if you are the representative of the Vice President, you have this reason to take your oath as well.

REP. SUAREZ. Yeah. But other than that, Mr. Chair, before we can even proceed to asking her to take her oath, does she...has she communicated officially

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to the Committee that she is indeed representing the Office of the Vice President? Is there any letter that... whereby Atty. Tolentino *(Torrentira)* is given authority to represent the Office of the Vice President, ComSec?

THE ACTING COMMITTEE SECRETARY. None, Your Honor.

THE CHAIRPERSON. Did you submit your authority?

MS. TORRENTIRA. [redacted]

THE CHAIRPERSON. Yes, please.

REP. SUAREZ. Mr. Chair, can we just call for a five-minute suspension? Kausapin muna natin kung ano ba talaga. Kasi...

THE CHAIRPERSON. Five-minute suspension is declared by the Chair.

REP. PADUANO. Mr. Chairman.

Suspension: 10:07 a.m.

Resumption: 10:10 a.m.

THE CHAIRPERSON. Committee hearing resumes.

Congressman Paduano.

REP. PADUANO. Thank you, Chairman.

Anyway, Mr. Chair, first and foremost, since the good lawyer has no written authority coming from the Vice President. Second is that she never take her oath. So, Mr. Chairman, first, I move that we strike out all...on record, all the statement being made by the good attorney.

REP. KHONGHUN. Seconded.

THE CHAIRPERSON. There's a motion raised by Congressman Paduano, duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. PADUANO. And second, Mr. Chairman, I move that we excuse the good lady attorney in this room and to request the SAA to escort the good attorney outside of this room. I so move, Mr. Chairman.

REP. KHONGHUN. Seconded.

REP. ACOP. Second.

THE CHAIRPERSON. There's a motion to excuse the good attorney from this room which is duly seconded. Is there any objection? Hearing none, the motion is carried.

MS. TORRENTIRA. [redacted]

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THE CHAIRPERSON. You are not...you are out of order. You are not recognized.

MS. TORRENTIRA. [redacted]

THE CHAIRPERSON. Suspend ko na lang?

One minute suspension.

Suspension: 10:12 a.m.

Resumption: 10:14 a.m.

THE CHAIRPERSON. Committee hearing resumes.

REP. SUAREZ. Mr. Chairman.

THE CHAIRPERSON. Congressman Jay-Jay Suarez, you are recognized.

REP. SUAREZ. Yeah. Mr. Chair, gusto ko lang po ilagay sa tamang perspective iyong dahilan kung bakit po pina-excuse po natin iyong isang indibidwal na dumalo sa ating hearing. Baka po kasi magkaroon ng misunderstanding why she was excused from our hearing. Number one, she was not invited to attend today's hearing. Number two, she did not take her oath. So, we don't even know the personalities and the circumstances to why she is here, and no communication was forwarded to the Committee as to her attendance. For all we know, she can be somebody posing for somebody. And the Committee cannot act on mere presentation without proper representation to the said Committee, Mr. Chair. So, para lang po maunawaan ng lahat kung bakit po natin pinakiusapan na ma-excuse iyong isang indibidwal na nagpakilala na Atty. Tolentino *(Torrentira)*.

Iyon lang po, Mr. Chair.

THE CHAIRPERSON. Thank you. Wala na po bang magsasalita? ComSec.

REP. PADUANO. Mr. Chairman, permission to excuse. Chairman, permission to excuse cause there's another hearing.

THE CHAIRPERSON. Yes, Congressman Paduano, you are excused. Thank you.

REP. PADUANO. Thank you.

THE CHAIRPERSON. ComSec.

THE ACTING COMMITTEE SECRETARY. Your Honor, may we recognize Honorable Joseph "Jojo" Lara from the 3rd District of Cagayan; and

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Deputy Majority Leader Honorable Franz S. Pumaren from the 3rd District of Quezon City.

Thank you, Your Honor.

THE CHAIRPERSON. Thank you. We will now proceed to the...

REP. SUAREZ. Nagtataas ng kamay si Sanchez.

THE CHAIRPERSON. I will recognize you later, but we will proceed to the item in our agenda.

Good morning. Once again, we are here today in the fifth hearing of the House Blue Ribbon Committee for the continuation of the deliberations on the following matters: Number one, Privilege Speech No. 379 of Congressman Rolando Valeriano...

(MS. NANETTE A. BUENVIAJE TOOK OVER)

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THE CHAIRPERSON. (Continuing)...Congressman Rolando Valeriano on September 3, 2024 on asserting the power of the purse of Congress, and, two, the *motu proprio* inquiry on the manifestation of Representative Jinky Luistro during the budget hearing of the Department of Education before the House Committee on Appropriations on September 2, 2024.

Our ongoing inquiry was propelled by Representative Valeriano's demand to look into the Vice President's non-transparency and refusal to answer questions by the legislative on her utilization of public funds entrusted to her office and the observation manifested by Representative Luistro concerning issues plaguing DEPED's budget utilization.

Unfortunately, in the past four hearings of the Blue Ribbon Committee, all of the public officials involved in the utilization of public funds in the OVP, including confidential funds that were granted to it in 2022 and 2023, have not graced us with their presence. Nevertheless, we have diligently inquired into and examined available documents from the COA, DBM and other government agencies in our past four hearings and we are fortunate that other public officials from DEPED, COA, DBM, BTR, and even the AFP have provided valuable assistance as resource persons in our investigation to help us piece together and verify how public funds have been used in the DEPED and the OVP.

Ngunit marami pa po tayong katanungan ukol sa pinaggamitan ng ating public funds. Ang mga dokumentong nakalap natin ay hindi pa lubusang naipaliwanag. Halimbawa, kapansin-pansin na sa mga liquidation report ng confidential funds ng OVP ay pinalalabas rito na may confidential funds na na napunta umano sa provision of medical and food aid bilang rewards na higit or iba pa sa mga na naire-report na medical at food aid ng OVP sa kanyang mga regular at non-confidential na programa.

Totoo po bang ginamit ang confidential funds sa medical at food aid? At sino-sino ang mga confidential beneficiaries ng medical at food aid na ito? Mas lalo pa po tayong nabahala noong nakita natin ang mga acknowledgement receipts na parang bogus lamang, mali-mali ang mga petsa, hindi pirmado o di kaya ay hindi kapani-paniwala.

Sa panig naman po ng DEPED, pinabulaanan na mismo ng miyembro ng Philippine Army ang pahayag sa certification ng DEPED na may ginamit na confidential fund sa mga Youth Leadership Summits na kanilang regular na isinasagawa.

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What we... What we needed were answers from the Office of the Vice President and those persons who were themselves involved in the utilization of public funds, particularly the confidential funds of the OVP and DEPED. Makailang beses nilang iginigiit na nakasaad na ang kanilang mga paliwanag sa mga dokumentong isinumite na nila sa COA. Ngunit sa ating mga nakita sa pagdinig na ito, hindi sapat na nagsumite lamang sila ng mga dokumento sa COA, lalong-lalo na kapag ang mga dokumentong ito mismo ang kinukwestiyon or hinahanapan ng paliwanag. There are questions that the documents themselves can't answer. This is why we need the presence of these officials. Sila lang po ang makakasagot sa mga katanungan natin.

Nais nating maging patas. Napakaraming pagkakataon na ang ibinibigay sa OVP, more than sufficient opportunity, 'ika nga, ngunit hindi naman napapalampas ang ano mang pagharang sa Lehislatura na alamin kung saan ginastos ang pondo ng bayan. Sa panglimang pagkakataon ay pinatawag po natin uli ang mga concerned officials ng OVP, pati ang Special Disbursing Officer ng DEPED na si Edward Fajarda, upang magbigay linaw sa mga dokumentong nakalap ng ating imbestigasyon.

Sa araw na ito, hindi po muna tayo nag-iimbita ng ibang resource person at nang mabigyan natin ng sapat na oras ang lahat ng mga katanungan sa mga pinatawag natin na mga officials ng OVP at magkaroon din sila ng sapat na oras para sumagot sa ating mga katanungan.

Maraming salamat po.

We will now proceed to the...

REP. RAUL ANGELO "JIL" D. BONGALON. Mr. Chair. May I be recognized, Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Jil, you are recognized.

REP. BONGALON. Before we proceed with our deliberation, may I just raise this concern, Mr. Chair. On our agenda for today, item number III, number 2, which refers to the *motu proprio* inquiry or inquiry on the manifestation of Representative Gerville "Jinky Bitrics" Luistro, was made on September 10, 2024, and I am certain, Mr. Chair, that this is a result of a typographical or clerical error which was indicated in today's agenda.

Given that, Mr. Chair, may I ask that the agenda be amended to correct this typographical or clerical error and reflect the actual and true date in accordance with

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Section 106 of the Rules of Procedure of 19th Congress, which states, "When any matter is under consideration, a motion to amend and a further motion to amend the amendatory motion shall be in order." I so move, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

VOICE. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? *(Silence)* hearing none, the motion is carried.

REP. BONGALON. Again, Mr. Chair, in addition, considering that there's this clerical error in relation to this agenda, I move that my motion be extended to all agenda and/or transcript of proceedings for these proceedings of the Committee on Good Government and Public Accountability. In particular, Mr. Chair, I move that the Committee Secretary review the agenda and transcript of proceedings, dated September 18, September 25, October 17. and November 5. To be precise, Mr. Chair, I am asking that any reference to the date of Congressman Luistro's manifestation subject of the *motu proprio* inquiry be reflected as having been made on September 2, 2024, the actual date of the Committee on Appropriations' budget deliberation, and not September 10, 2024 or any other date. I so move, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

REP. SUAREZ. Second, Mr. Chair.

THE CHAIRPERSON. Duly seconded. Is there any objection *(Silence)* Hearing none, the motion is carried.

Any other concerns? Meron pa po ba?

REP. BONGALON. There is none, Mr. Chair.

THE CHAIRPERSON. There is none. We will now proceed to the next item in the agenda.

We will now proceed to the interpellation proper. The first to interpellate is Congressman Rodge Ramon Rodriguez... Gutierrez.

REP. GUTIERREZ. Thank you, Mr. Chair.

Mr. Chair, I'd like to direct my first question po at least... First and foremost, we'd like to express our gratitude for our resource persons who have attended here. I know for the most part of our hearing, we've been discussing the attendance of the other resource persons, and I hope in the next hearing they can do the same – na nandito po sila. But, in

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the meantime, I think we would like... siguro I will start, Mr. Chair, to direct my questions to Ms. Julieta Villadelrey.

Good morning po.

Mr. Chair, if I may proceed?

THE CHAIRPERSON. Yes, please proceed.

REP. GUTIERREZ. Mr. Chair, before other matters po, ano, on what we have in agenda, just some preliminary matters on, I believe you have submitted, Mr. Chair, some statements. together with Attorney Sanchez to this Committee, is that correct, Mr. Chair?

MS. JULIETA L. VILLADELREY (Chief Accountant, Office of the Vice President). Good morning, Your Honor.

THE CHAIRPERSON. Attorney Julieta...

MS. VILLADELREY. Yes, Your Honor.

THE CHAIRPERSON. ...you are recognized.

MS. VILLADELREY. Yes, I submitted a statement po.

REP. GUTIERREZ. Thank you.

I'd like to focus on some procedural matters po muna on that statement.

THE CHAIRPERSON. Ma'am, paki lakasan po ninyo at ilapit po ninyo iyong mic para marinig po kayo.

MS. VILLADELREY. Yes.

THE CHAIRPERSON. Thank you po.

MS. VILLADELREY. Good morning, Your Honors. If I may be allowed to read my statement?

REP. RODRIGUEZ. Mr. Chair, in the interest of time, I think we've had this in advance and we were able to read it and I think we're aware. If we may proceed with the questioning, unless the Committee Members would like to hear the statement. Parang hindi naman po.

THE CHAIRPERSON. Iyong statement po bang babasahin ninyo, iyon din po iyong sinabmit *(submit)* ninyo sa amin?

MS. VILLADELREY. Yes, Your Honor.

THE CHAIRPERSON. Okay. Nabasa na po namin lahat iyon, so we will proceed to the interpellation.

Yes, please continue, Congressman Gutierrez.

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REP. GUTIERREZ. So, I'll just...

THE CHAIRPERSON. Yes, please continue, Congressman Gutierrez.

REP. GUTIERREZ. Thank you, Mr. Chair.

So, Ms. Villadelrey po, 'no, so just working on the statement po, ano. I just like to ask, how do you know po si Attorney Abella?

MS. VILLADELREY. Attorney?

REP. GUTIERREZ. Abella po.

MS. VILLADELREY. Ah, he is our counsel, Your Honor.

REP. GUTIERREZ. Ah, he is your counsel?

MS. VILLADELREY. Abella?

REP. GUTIERREZ. Attorney Abella.

MS. VILLADELREY. I don't know Attorney Abella, Sir.

REP. GUTIERREZ. You don't know an Attorney Abella, Attorney Rochelle Abella?

MS. VILLADELREY. No, Sir.

REP. GUTIERREZ. Sorry. Mr. Chair, may we ask Attorney Sanchez – do you know Mister, Mister Attorney Abella...

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REP. GUTIERREZ. (Continuing)...Attorney Abella?

MS. VILLADELREY. Attorney...?

REP. GUTIERREZ. Abella po.

MS. VILLADELREY. He is our counsel, Your Honor.

REP. GUTIERREZ. Ah, he is your counsel?

MS. VILLADELREY. Abella?

REP. GUTIERREZ. Attorney Abella.

MS. VILLADELREY. I don't know Attorney Abella, Sir.

REP. GUTIERREZ. You don't know an Attorney Abella, Attorney Rochelle Abella?

MS. VILLADELREY. No, Sir.

REP. GUTIERREZ. Sorry. Mr. Chair, may we ask si Attorney Sanchez, do you know Mister...Mr. Attorney Abella?

MS. ROSALYNNE L. SANCHEZ (Director for Administrative and Financial Services, Office of the Vice President). Your Honor, yes, Mr. Chair, Attorney Abella is one of the staff in the Office of the Vice President.

REP. GUTIERREZ. Oh, one of the staff in the Office of the Vice President.

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. Okay. Back to Ms. Villadelrey. Is it more familiar now to you po?

MS. VILLADELREY. Ah, hindi po ako masyadong pamilyar sa lahat ng employees of the Office of the Vice President.

REP. GUTIERREZ. Opo. Ms. Sanchez, I hope you don't mind, Mr. Chair, I know it's unorthodox, but I would like to...because the point I'm driving at, I would like to toss and... between the two resource persons po, 'no, so I'll just go quickly between them.

THE CHAIRPERSON. Please continue.

REP. GUTIERREZ. Attorney Sanchez, through the Chair most respectfully, si Attorney Abella you've known Attorney Abella for quite some time.

MS. SANCHEZ. Your Honor... yes, Your Honor. She joined the OVP I think some time this year, if I am correct, Your Honor.

REP. GUTIERREZ. Can you describe how she looks po ba?

MS. SANCHEZ. Yes, Your Honor. Attorney Abella is fairly tall and slim.

REP. GUTIERREZ. Okay.

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MS. SANCHEZ. Ah...

REP. GUTIERREZ. Are there a lot of attorneys in the Office of the OVP?

MS. SANCHEZ. Currently, Your Honor, there are only around four attorneys under the Legal Affairs Division but there are other lawyers in the Office of the Vice President performing other functions, Your Honor.

REP. GUTIERREZ. Would you consider Attorney Abella a fairly prominent lawyer in the OVP? Is she all over the place po ba?

MS. SANCHEZ. No, Your Honor. Attorney Abella does not report daily at the Office of the Vice President. As her task from what I know because I'm not the head of the Legal Affairs Division are mainly on execution of non-disclosure agreements and other documents and contracts for the Office of the Vice President, Your Honor.

REP. GUTIERREZ. Okay. So, si Attorney Abella is mostly tasked with the operation of NDAs and ...you mentioned...sorry, could you repeat it for us, please.

MS. SANCHEZ. Contracts...

REP. GUTIERREZ. Contracts.

MS. SANCHEZ. ...and other documents, Your Honor.

REP. GUTIERREZ. Is she also tasked with preparing statements for the OVP?

MS. SANCHEZ. Ah, I'm not aware, Your Honor.

REP. GUTIERREZ. Not aware. But she... she, right?

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. Attorney Abella is a person who, although he is not on site, would sometimes be on site.

MS. SANCHEZ. Most of the days I think in the week, she is on site, Your Honor.

REP. GUTIERREZ. And her office is ...her outside...her external office, would you know kung saan po ito?

MS. SANCHEZ. No, Your Honor.

REP. GUTIERREZ. No. So just the internal office.

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. And all of your interactions with Attorney Abella have been inside the office of the OVP?

MS. SANCHEZ. Yes, Your Honor.

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REP. GUTIERREZ. You've never interacted with Attorney Abella outside the OVP?

MS. SANCHEZ. No, Your Honor.

REP. GUTIERREZ. Okay. I'd like to return my question po to Ms. Villadelrey. After the description po 'no... (*Interrupted*)

THE CHAIRPERSON. Attorney Rodge...Attorney Rodge, I would just like to interject...

REP. GUITIERREZ. Of course, Mr. Chair.

THE CHAIRPERSON. ...in line with your line of questioning. Saan po ba iyong office...official office po ni OVP.

MS. SANCHEZ. Mr. Chair, the official office of the OVP is at the 11th Floor Robinsons Cybergate Plaza, Mandaluyong City.

THE CHAIRPERSON. Mandaluyong.

MS. SANCHEZ. Yes, Your Honor.

THE CHAIRPERSON. Okay. Please continue.

REP. GUTIERREZ. Thank you, Mr. Chair.

Ms. Villadelrey, so after the descriptions given...the job descriptions and actual physical description and office description of Ms. Abella, hindi pa rin po pamilyar po sa inyo.

MS. VILLADELREY. I remember now, Your Honor, si Attorney Abella po is once pumunta sa office.

REP. GUTIERREZ. Once pumunta sa office. In any instance, did you go to her office?

MS. VILLADELREY. No, Sir. She went to my office.

REP. GUTIERREZ. Went to your office. What was the concern po why she went to your office?

MS. VILLADELREY. Ah, ang natatandaan ko lang po naging interaction niya sa akin is kinumusta niya ako.

REP. GUTIERREZ. Nothing official? Has she not done anything, preparation of any documents of any kind for you, Ms. Villadelrey?

MS. VILLADELREY. None, Sir.

THE CHAIRPERSON. Congressman Rodge, for a while. Saan po iyong office ninyo?

MS. VILLADELREY. Same office po Cybergate Plaza, Mandaluyong.

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THE CHAIRPERSON. So doon din po. So doon din po iyong office ni Attorney Abella, tama din po, as staff of the OVP? Tama po ba? Attorney Sanchez, tama po ba?

MS. SANCHEZ. Yes, Your Honor.

THE CHAIRPERSON. Ah, okay. Please continue, Congressman Rodge.

REP. GUTIERREZ. Thank you, Mr. Chair.

So, Ms. Villadelrey, you confirmed na once po you interacted with Attorney Abella.

Si Attorney Sanchez po, through the Honorable Chairman, have you had any recent interactions with Attorney Abella?

MS. SANCHEZ. Your Honor, from time to time, Your Honor, regarding work, Your Honor.

REP. GUTIERREZ. More specifically, do you recall having interaction with Attorney Abella last November 9?

MS. SANCHEZ. Your Honor, through phone conversation, Your Honor, she asked me to send a copy of my ID, Your Honor.

REP. GUTIERREZ. Copy of your ID. Would you know the purpose of the copy of the ID?

MS. SANCHEZ. I think, Your Honor, it is for her to notarize the statement that I executed, Your Honor.

REP. GUTIERREZ. And you did not have an interaction with her aside from the phone call?

MS. SANCHEZ. Phone call only, Your Honor.

REP. GUTIERREZ. Okay. Ms. Villadelrey, do you recall a similar interaction with Attorney Abella noong November 9 po.

MS. VILLADELREY. November 9, Your Honor, yes, when she asked to also send a copy of my ID.

REP. GUTIERREZ. Okay. And you are aware of the purpose also was to notarize po. Is it the same purpose as Attorney Sanchez?

MS. VILLADELREY. Yes, Your Honor, to notarize po itong statement.

REP. GUTIERREZ. Can you clarify po for us this statement, this is of your own volition, tama po ba?

MS. VILLADELREY. Tama po.

REP. GUTIERREZ. And you prepare this yourself?

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MS. VILLADELREY. Tama po.

REP. GUTIERREZ. And you sent this to Attorney Abella?

MS. VILLADELREY. Your Honor?

REP. GUTIERREZ. Pinadala mo po ito kay Attorney Abella?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. And then you did not appear personally to have it notarized?

MS. VILLADELREY. Pinadala ko po ito sa Office of the Legal Affairs.

REP. GUTIERREZ. Pinadala sa Office of the Legal Affairs. And they did not ask for your physical presence for the signing of the document?

MS. VILLADELREY. No, Your Honor.

REP. GUTIERREZ. No.

THE CHAIRPERSON. Another clarification, where were you when you received a phone call from Attorney Abella? You were in your office?

MS. SANCHEZ. I was in my office, Your Honor.

THE CHAIRPERSON. In?

MS. SANCHEZ. In Mandaluyong City, Your Honor.

THE CHAIRPERSON. In Mandaluyong. How about you, Ma'am Villadelrey, where were you?

MS. VILLADELREY. Also in Mandaluyong, Your Honor.

THE CHAIRPERSON. Okay. In both dates, in both instances, November 9, you were both in Mandaluyong, tama po ba? And that was the time when you received phone call from Attorney Abella, tama po ba?

MS. SANCHEZ. Your Honor, may I just correct, it was through the Chief of the Legal Affairs Division, Your Honor.

THE CHAIRPERSON. Ano po?

MS. SANCHEZ. It was through the Chief of the Legal Affairs Division. She was on the phone with Attorney Abella and she relayed the message, but I was with her at that time, Your Honor.

THE CHAIRPERSON. You were with?

MS. SANCHEZ. The Chief of the Legal Affairs Division, Your Honor.

THE CHAIRPERSON. Chief of the Legal Affairs. In...?

MS. SANCHEZ. In Mandaluyong.

THE CHAIRPERSON. In Mandaluyong.

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MS. SANCHEZ. Yes, Your Honor.

THE CHAIRPERSON. How about you, Ma'am?

MS. VILLADELREY. Same po.

THE CHAIRPERSON. Same in Mandaluyong din?

MS. VILLADELREY. In Mandaluyong also, Sir.

THE CHAIRPERSON. Okay. Thank you po.

Please continue, Congressman Rodge.

REP. GUTIERREZ. Thank you, Mr. Chair.

So, proceeding from that, Attorney Sanchez, would you say you had the same instance, the same procedure for the notarization of your document? So, you prepared the statement, you signed it, tapos pinadala na lang po?

MS. SANCHEZ. Your Honor, I signed it at the time that...in front of the Chief of the Legal Affairs Division, Your Honor. I handed it over, Your Honor.

REP. GUTIERREZ. Okay. You signed it in front of the Chief of the Legal Affairs Division.

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. Was Attorney Abella present?

MS. SANCHEZ. No, Your Honor.

REP. GUTIERREZ. Okay. I just like to have that procedural fact noted by the Committee. Actually, I might be mistaken but from my understanding based on notarial rules the affiant should actually sign the document in front of the notary. So, it is just concerning po na they had that procedure in which they prepared the statement, they signed it, then pinadala na lang po. In fact, they admitted to the fact that the ID was just asked over the phone for the notary. But to clarify po for the Committee, this is not... unfortunately, this has become a practice sometime for notarial services and sometimes it is overlooked. However, what is important to stress and to bear in relation to the proceedings here is that Attorney Abella is not only notarizing a regular statement. This is a statement before this House. And aside from that, Attorney Abella's signature... Attorney Abella's notarization actually appears in other significant documents. I'm not sure if Attorney Sanchez would be aware being Chief of...Admin po ba and Finance? And I'm not sure if Ms. Villadelrey is aware also being Chief of Accountant. But Attorney Abella's notary...notarial stamp, notarial imprimatur appears not only in their statements, which they have prepared, but has actually appeared in, I believe, the liquidation reports po ng OVP

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confidential funds. So, it brings the question kung magkakaroon po...the whole purpose of the notarial procedure is to verify as officers of court to allow persons to execute statements under oath in a way. So, the purpose of this is to preserve the integrity of the statements made.

Now, if there's an issue regarding the procedural...if there are procedural lapses in the notarial services...

(MS. MARIA LEONOR M. FALZADO TOOK OVER)

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REP. GUTIERREZ. (Continuing)...notarial services, then it puts into light the veracity, authenticity and acceptability, admissibility of these documents. So what's stressing for me is that this is not just only for the statement which, don't get me wrong, Mr. Chair, this is important for us today because the statements that they will be presenting is their official testimony to our questions here today, of course. But, more importantly, the fact that the same Atty. Abella is the lawyer who notarized the OVP confidential funds certification to DEPED. So, Mr. Chair, Atty. Abella is in the Office of OVP. Tama po ba, Atty. Sanchez? May we clarify since you are more familiar with Atty. Abella?

THE CHAIRPERSON. Atty. Sanchez.

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. Was she...did she have a stint in the Department of Education?

MS. SANCHEZ. I am not aware, Your Honor.

REP. GUTIERREZ. It's not your personal knowledge. But that is something for us to consider kasi nga po her signature appears as the notarial...as the notary for the OVP confidential funds and the DEPED confidential funds certification aside from the statements presented today. So, I'm not sure, perhaps, at the proper time, proper motion... should this Committee deemed wise, we might want to invite si Atty. Abella. Although this is not usual practice, I understand that in the courts usually they would frown upon the act of having to present the notary as witness. But given the fact that, for example, we can't even get the nine OVP officials present, perhaps, we can invite Atty. Abella not only for her notarial stamp on the statement of Ms. Villadelrey and Atty. Sanchez, but also on the OVP confidential funds and DEPED confidential funds. This is just...

THE CHAIRPERSON. ComSec, please take note of the manifestation of Congressman Gutierrez.

REP. GUTIERREZ. ...a procedural concern. But with that out of the way, Mr. Chair, I'd like now to proceed with the...some preliminary questions for Ms. Villadelrey. So...

THE CHAIRPERSON. Ms. Villadelrey.

REP. GUTIERREZ. Ms. Villadelrey, kayo po iyung Chief Accountant ng Office of the Vice President?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. How long na po kayo sa OVP?

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MS. VILLADELREY. Your Honor, I've been in the OVP since 1990 during the last year of VP Laurel.

REP. GUTIERREZ. Ah, VP Laurel pa po. So you are a career public servant?

MS. VILLADELREY. Yes, Your Honor.

REP. GUITERREZ. So from 1990 that would put you now at 34 years of service po. And, in your 34 years of service, may you just quickly give us a rundown? Kailan po kayo naging Chief Accountant?

MS. VILLADELREY. I was employed in the OVP in 1990. I became an OIC, I cannot recall but I appointed Chief Accountant in 1998.

REP. GUTIERREZ. Oh, that's a quick rise po. From 1990 to 1998 kayo po iyung naging Chief Accountant. So you have been the Chief Accountant for the OVP for how many administrations now po?

MS. VILLADELREY. For seven...at least, seven po, seven Vice Presidents.

REP. GUTIERREZ. And, as the Chief Accountant, you are in charge of the Accounting Division. Is that correct?

MS. VILLADELREY. Tama po, Your Honor.

REP. GUTIERREZ. And part of your duties would include reviewing and processing the disbursements and liquidations at the OVP?

MS. VILLADELREY. Tama po.

REP. GUTIERREZ. Before anything, I'd like to commend you for your long tenure of service. Maraming salamat. Given that you are six administrations in, I'm pretty sure you are adept and an expert in your field. Given that you are, you know, well-experienced in your field, I'm sure you're familiar with iyong tinatawag na Government Accounting Manual. Is that correct?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. Can you rundown for the Committee ano po iyong requirements ng Government Accounting Manual in relation to cash advances?

MS. VILLADELREY. For the cash advances, under the regular, Your Honor, it should be...there should be fund or allotment to cover the issuance of cash advance. There should be cash allocation. For the travel...for the travel, Your Honor, we...Your Honor, hindi po required na bonded siya; pero for activities, should be bonded with the Bureau of the Treasury. There should be special order designating Special Disbursing Officer, Your Honor.

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REP. GUTIERREZ. Okay. So, for iyong cash advances po natin, that...iyong GAM na sinasabi, this is the standard for accounting of the government and this should apply generally to other agencies, tama po ba?

MS. VILLADELREY. Tama po.

REP. GUTIERREZ. Would the GAM, on the provisions on cash advances, would that also apply to confidential funds?

MS. VILLADELREY. No, Your Honor.

REP. GUTIERREZ. And why is that po? What is the standard that you use for confidential funds?

MS. VILLADELREY. For the confidential fund, Your Honor, it is covered by the Joint Circular 2015-01.

REP. GUTIERREZ. So that same joint circular that, if you've been following our Committee hearings, was cited by the ICFAO. Iyon iyong general basis po nila for confidential funds.

MS. VILLADELREY. Tama po, Your Honor.

REP. GUTIERREZ. Are there provisions in the Government Accounting Manual that would still suppletorily, in a way, apply to cash advances?

MS. VILLADELREY. Wala po akong natatandaan, Your Honor.

REP. GUTIERREZ. Wala.

MS. VILLADELREY. Only the joint circular.

REP. GUTIERREZ. So, there is no requirement that for cash advance for specific purpose or time-bound undertaking, that they should be recorded in the books of accounts as advances to special disbursing officers. Wala kayong ino-note na ganoon po?

MS. VILLADELREY. Can you repeat, Your Honor?

REP. GUTIERREZ. When you're talking of cash advances for specific purpose or a time-bound undertaking, I'm not sure, I'm not an accountant, but I think this is a very specific definition under the GAM. Tama po ba?

MS. VILLADELREY. Opo.

REP. GUTIERREZ. Yeah, okay. So, with that, do you record it in the books of accounts as advances to special disbursing officers?

MS. VILLADELREY. Tama po, Your Honor.

REP. GUTIERREZ. So, there are some provisions in the GAM that would apply. It's not purely iyong joint circular. Tama po ba this is a procedure that's outlined with the GAM?

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MS. VILLADELREY. Tama po.

REP. GUTIERREZ. So suppletory naman pala po iyong GAM, ano. Nagagamit rin po siya even in confidential funds?

MS. VILLADELREY. Possible po, Your Honor. Pero naka-focus po ako sa joint circular when it comes to confidential fund.

REP. GUTIERREZ. Okay. But do you recall recording iyong advances to special disbursing officers?

MS. VILLADELREY. Yes, Your Honor. *(Microphone Not Activated)*

REP. GUTIERREZ. Yes, you do. And the relevant provisions actually for the GAM for confidential fund is Chapter VI, apparently. So, the process of the cash advance, pagka tanggap po ng check, ini-encash po ito ng SDO. Tama po ba?

MS. VILLADELREY. As I recall, Your Honor.

REP. GUTIERREZ. As you recall. In this instance, what is your participation po in the handing over of the check? Do you foresee the encashment? Do you foresee...do you oversee the depositing? Ano po iyong inyong interaction with the SDO in relation with this?

MS. VILLADELREY. Your Honor, ang naging task po ng accounting sa issuance ng cash advance is only for processing, for processing of disbursement voucher not for issuance of check.

REP. GUTIERREZ. Not for the issuance of the check but the processing of the disbursement voucher. So ano po iyong procedure for the processing of the disbursement voucher?

MS. VILLADELREY. In the processing of disbursement voucher for confidential fund, it should be supported by all the required supporting documents as stated or as required in the Joint Circular 2015-01.

REP. GUTIERREZ. Okay. So, when you say po hindi po kayo involved sa issuing of the check, are you somehow involved in the encashment or depositing of the check?

MS. VILLADELREY. For encashment and depositing of the check, it is the SDO, Your Honor.

REP. GUTIERREZ. SDO. So, no participation required on your part doon sa SDO. They don't need any clearance from you. They don't need you to sign of anything. It's purely the responsible of the SDO in line with the provisions of the joint circular. Tama po ba?

MS. VILLDELREY. Tama po, Your Honor.

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REP. GUTIERREZ. Okay. With that, are you aware of the procedure, just on personal knowledge, kapagka tinatanggap na po ng SDO, of course, we'd like to ask the SDO himself or herself these questions, but given na wala po sila, we'd like to ask you as Chief Accountant kasi po I hope you understand minsan nalilito rin po kami as not actually practitioners in this field. Marami pong accountants and auditors pala po within one office. But it's understandable na special po iyung confidential funds. So, in relation to confidential funds po, Ms. Villadelrey, you mentioned that you have no participation in the encashment and no participation in depositing of any source. But are you aware of the procedure of the SDO? Ano po'ng ginagawa po niya pag nakatanggap noong tseke for the confidential funds?

MS. VILLADELREY. I'm sorry, Your Honor. Hindi ko po alam. Bale ang task ko lang po talaga is to process the issuance of cash advance...

REP. GUTIERREZ. Okay.

MS. VILLADELREY. ...or to the confidential fund.

REP. GUTIERREZ. Sige po. Ms. Villadelrey, ayon po sa GAM, required pong mag-institute ng internal mechanism. So internal controls ng OVP to safeguard po iyong mga cash advances and I would assume this would also apply to confidential funds. Are you aware of any safeguards that are being implemented for the OVP's confidential funds?

MS. VILLADELREY. For the regular funds, Your Honor, yes, we have po controls like it should be liquidated within 15 days from issuance or upon completion of the activity.

REP. GUTIERREZ. For the regular fund.

MS. VILLADELREY. For the regular fund.

REP. GUTIERREZ. But for the confidential funds, are you aware of any controls that you might have implemented as Chief Accountant?

MS. VILLADELREY. Yes. Your Honor, according to joint circular, there should be reportorial requirements like for accounting, the issuance of cash advance is or upon disbursement of the cash advance, it should be submitted to the audit team, resident auditor, within seven days from issuance, Your Honor, including all supporting documents ...

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MS. VILLADELREY. (Continuing)...all supporting documents.

REP. GUTIERREZ. Ms. Villadelrey, when you mentioned Resident Author, you are talking about the Resident Auditor of the COA, tama po ba?

MS. VILLADELREY. Tama po.

REP. GUTIERREZ. Okay. So, do you have any participation in the vetting or authentication or going through the supporting documents ng Confidential Funds?

MS. VILLADELREY. Supporting documents, Your Honor, for the issuance of cash advance.

REP. GUTIERREZ. Issuance of cash advance only. Pero for the liquidation, wala na po kayong alam?

MS. VILLADELREY. Wala na po, Your Honor.

REP. GUTIERREZ. So, you would not be involved with the documentary evidence of payment for iyong mga acknowledgement receipts, *et cetera, et cetera?*

MS. VILLADELREY. No, Your Honor. Based on joint circular, it should be the responsibility of the Special Disbursing Officer.

REP. GUTIERREZ. And never at any point, even procedurally, dumaan po itong mga SDs or DEPs sa kamay po Ninyo? This is directly between the SDO and the Resident Auditor. Tama po ba?

MS. VILLADELREY. The DVs of the issuance of cash advance, iyon po ang dumaan sa accounting, sa akin. Other DVs na nagkaroon ang disbursement ng Confidential Fund, hindi po dumaan sa accounting, Your Honor.

REP. GUTIERREZ. By "DVs", you mean iyong disbursement vouchers po, tama?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. Do you... As Chief Accountant, are you required to review a journal entry voucher?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. Does this apply for confidential funds?

MS. VILLADELREY. Yes, Your Honor. Upon recording of the issuance of cash advance.

REP. GUTIERREZ. So, upon the issuance of cash advance, this is still related to the disbursement voucher lang po?

MS. VILLADELREY. Yes, Your Honor.

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REP. GUTIERREZ. Opo. And when you review the journal entry voucher, you have to certify it. Is that correct?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. So, ano po iyong nilalaman ng certification na ito?

MS. VILLADELREY. For the certification of the issuance of cash advance in a voucher, Your Honor, it is stated that there should be cash available and supporting documents complete and proper.

REP. GUTIERREZ. So, when you issue po iyong disbursement voucher, is it a requirement, for example—because I understand iyong ating confidential fund is... except for 2022 po, 'no, which was issued by virtue of contingent fund na nilipat, under the GAA po iyong confidential funds natin for 2023, tama po? Is it a requirement in the subsequent disbursement vouchers that you would have to certify na inubos po iyong previous quarter?

MS. VILLADELREY. Yes, Your Honor. Before the issuance of another cash advance.

REP. GUTIERREZ. And how do you verify po na naubos iyong previous disbursement voucher... ah, iyong previous cash advance?

MS. VILLADELREY. Sir po, the liquidation of previous cash advance, it is stated in the joint circular, and also ito lang din po iyong naging basis ko, the received transmittal copy of the supporting documents duly stamped by ICFAO.

REP. GUTIERREZ. Okay. So ang procedure po natin is the SDO will submit the liquidation report to the Resident Auditor, the ICFAO will stamp and then provide it po to you, Ms. Villadelrey. Is it provided to you by the SDO or by the COA po?

MS. VILLADELREY. By the SDO, Sir.

REP. GUTIERREZ. Si SDO. And when you receive this stamped copy po ng liquidation report, ministerial na lang po iyong pag-issue po ninyo ng disbursement voucher for the next quarter. tama po ba?

MS. VILLADELREY. Not the liquidation report, Your Honor...

REP. GUTIERREZ. Oh, sorry.

MS. VILLADELREY. ...only the transmittal—listing po lahat noong documentary requirements, all reports and certifications submitted to ICFAO.

REP. GUTIERREZ. So, iyong listing na po ito, how many pages ang document na ito?

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MS. VILLADELREY. I think, kung tama pa iyong pagkaka-recall ko, it's three pages po.

REP. GUTIERREZ. So, manipis lang po. So, talagang walang liquidation report, walang AR, walang SD. It's just the letter of transmittal lang po, parang ganoon.

MS. VILLADELREY. Tama po.

REP. GUTIERREZ. Okay. So, in that case po, in relation to the GAM and the joint circular, what is it that you would record in the books as Chief Accountant? It's really just disbursement to the SDO?

MS. VILLADELREY. Your Honor, ang recording ko po sa book is the issuance of the cash advance when issued to the SDO; and the liquidation of the cash advance upon receipt of the transmittal duly received by ICFAO.

REP. GUTIERREZ. Okay. Ms. Villadelrey, as Chief Accountant, you would confirm that there is a general ledger.

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. And the general ledger, the purpose is to keep a record of all of these. Would that include the supporting documents?

MS. VILLADELREY. No, Your Honor.

REP. GUTIERREZ. So, before you make an entry in the general ledger, do you have to go through the supporting documents?

MS. VILLADELREY. Only for cash advance, Your Honor.

REP. GUTIERREZ. So, for cash advance. In this case po, sa confidential funds, this is one such cash advance po, 'no?

MS. VILLADELREY. Yes...

REP. GUTIERREZ. So, before you enter in the general ledger, what documents would you be requiring before you make that entry in the general ledger?

MS. VILLADELREY. Before entering to the general ledger, Sir, we will... the basis of our recording is the report of the checks issued from our Cash Division and the copy of the disbursement voucher, together with the supporting documents.

REP. GUTIERREZ. Okay. Checks issued, disbursing... disbursement voucher, and supporting documents. Can you give us example ano po iyong SDs that are relevant to this entry?

MS. VILLADELREY. SD?

REP. GUTIERREZ. Anong supporting documents po na binabanggit po ninyo?

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MS. VILLADELREY. Supporting documents, yes, Sir.

For the issuance of cash advance, supporting documents required are: a special order of the disbursing officer designated by the HOA; approved bonding from the BTr; copy of the SARO and NCA; specimen signature of all signatories in DVs and ORS. What else? That's all, Your Honor.

REP. GUTIERREZ. Okay. Thank you. So, really, it's related to the disbursement lang talaga.

Ms. Villadelrey, can you... Sorry, we're not too familiar, pero can you distinguish iyong general and subsidiary ledger?

MS. VILLADELREY. General ledger, Sir, is the basis of the trial balance, subsidiary ledger pertaining to the individual accounts.

REP. GUTIERREZ. And do you maintain a subsidiary ledger for the Confidential Funds?

MS. VILLADELREY. For the SDO, Your Honor.

REP. GUTIERREZ. Ah, for the Office of the SDO. And ano po iyong lalabas po dito sa subsidiary ledger? It's just per check per entry?

MS. VILLADELREY. Yes, Sir. The recording of the cash advance; and, upon liquidation, also the crediting of the cash advance.

REP. GUTIERREZ. Does the SDO have to report to you for entry into the subsididary ledger iyong different tranches of which that they... whether they encash or deposit the quarterly confidential funds or isang bagsakan lang po ito sa inyong ledger?

MS. VILLADELREY. Isang report lang po. Isang report lang from... report of checks issued.

REP. GUTIERREZ. Isang report lang po talaga of checks issued.

So, generally, in that subsidiary ledger for the SDO, ano pa po ang mga entries ninyo aside from doon sa confidential funds? Are there any other transactions or accounts that you have to record that concerns the SDO?

MS. VILLADELREY. Your Honor, only the date... the date of the check, the check number, the details po, like if it is for the first quarter, second quarter; and the amount only.

REP. GUTIERREZ. So, it's a quarterly thing po talaga. I know you answered this earlier but just to clarify. So, ang magre-reflect po sa subsidiary record is iyong one-time cash. Hindi po siya daily releases or disbursements.

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MS. VILLADELREY. No. No, Your Honor.

REP. GUTIERREZ. Who would have the record of any daily release or disbursement?

MS. VILLADELREY. Per JC, Your Honor, it is the SDO.

REP. GUTIERREZ. The SDO's responsibility. And... I know it's no longer part of your responsibility but of your personal knowledge, nagpapatulong po ba iyong ating SDO sa inyo, ang SDO ng OVP, when it comes to recording things in...as per requirement of the joint circular?

MS. VILLADELREY. No, Your Honor.

REP. GUTIERREZ. Okay. So, just to clarify and... the process is iyong interaction po ninyo with the SDO is purely upon receipt of the request po ba iyon or iyong transmittal, you will then certify if the ledger... Sorry, can you repeat again to us, as a summary na lang po, 'no, kasi, I know tsinap-chop na po natin. Pero give us a summary of your interactions with iyong SDO, in particular.

MS. VILLADELREY. Actually po, wala po akong interaction sa SDO, only the reports. When the disbursement voucher for cash advance is forwarded to Accounting, wala po akong interaction sa SDO; when we recorded it in the Books of Accounts, wala din po; and when we liquidate it, wala din po. Because only through documents po kami nagbe-base.

REP. GUTIERREZ. Okay. Documents na po, okay. Although you don't interact with the SDO, particularly, personal knowledge po, in what instances do you interact with their office, through documents. So, this is purely for confidential funds only. Walang ibant entry, walang ibang transaction that will require documentation or certification on your part po?

MS. VILLADELREY. For the liquidation, Your Honor, I sign the liquidation report.

REP. GUTIERREZ. Oh, you sign the liquidation report. And what is the purpose of your signature po sa liquidation report?

MS. VILLADELREY. For the liquidation report, Your Honor, I certify that the... all supporting documents in the issuance of cash advance...

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MS. VILLADELREY. (Continuing)...issuance of cash advance are proper and complete, also in the transmittal forwarded, Sir.

REP. GUTIERREZ. I understand po, earlier you mentioned na as far as you're concerned with the general and subsidiary ledgers of the OVP, wala po kayong...hindi po dumadaan po sa inyo iyong acknowledgement receipts, documentary evidence of payment and other supporting documents, sabi ninyo po iyon earlier, tama po ba?

MS. VILLADELREY. Tama po.

REP. GUTIERREZ. But now you're saying po na in the liquidation report, you certify that you have reviewed all of these supporting documents?

MS. VILLADELREY. The supporting documents, Sir, that I mentioned is all supporting documents attached to the issuance of cash advance.

REP. GUTIERREZ. But you mentioned you signed iyong liquidation report itself?

MS. VILLADELREY. Only the liquidation report as annexed in the joint circular, Your Honor.

REP. GUTIERREZ. So, iyong liquidation report as annexed in the joint circular?

MS. VILLADELREY. Yes.

REP. GUTIERREZ. And what you're certifying there is that you've gone through all of the supporting documents, tama po ba? So, this...would this not include iyong ating acknowledgement receipts and documentary evidence of payment?

MS. VILLADELREY. Sir, in the JC, hindi po included sa responsibilities ng accountant ang review of the documents evidencing payments.

REP. GUTIERREZ. So...sorry, I hope you can forgive the confusion, no. Kasi, earlier, you mentioned when you go through the supporting documents and other...iyong mga supporting documents lang, you were talking about for signing of the disbursement voucher to release the check po, 'no?

MS. VILLADELREY. The cash advance.

REP. GUTIERREZ. The cash advance. But in this case of the liquidation report, this is already post-disbursement, tama po ba? The liquidation report is already talking about the quarter that has lapsed. So, you are signing on supporting documents there. What supporting documents po are you certifying in that case?

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MS. VILLADELREY. Sir, the supporting documents of the liquidation, not necessarily po iyong documents evidencing payments. It is under the responsibility only of the special disbursing officer, and the audit of this is through ICFAO.

REP. GUTIERREZ. No, I understand po what you're saying is that it's not necessarily your responsibility, but you do have a certification there that you have gone through all the supporting documents. So, how do we distinguish which supporting documents are verified or certified or prepared by the SDO, and which supporting documents are verified or prepared by the Chief Accountant? Could you please clarify to us po which particular supporting documents are you certifying?

MS. VILLADELREY. Yes, the supporting documents I certify po as complete and proper is the supporting documents also to be submitted sa ICFAO, which is also the attached documents of the cash advance.

REP. GUTIERREZ. But the acknowledgement receipts and DEPs are also submitted to the ICFAO, is that correct?

MS. VILLADELREY. Yes, Sir, but it is through a sealed envelope signed by the SDO.

REP. GUTIERREZ. Okay. So, the documents that are not sealed, in which you certify would be...specifically, could you enumerate for us po, sorry?

MS. VILLADELREY. Yes, Sir. The special order...the same attachment of the cash advance, special order, the approved bonding, specimen signatures of all the signatories, the copy of the SVR, the physical and financial plan of the confidential plan. That's I can remember, Your Honor.

REP. GUTIERREZ. Thank you. Of course, marami po iyan. So, Ms. Villadelrey, you mentioned that this is the same SDs that are in the disbursement voucher?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. So, kung ano po iyong sinertipay (*certify*) and sinabmit (*submit*) ninyo for the disbursement voucher prior to the cash advance, iyon pa rin po ang...that is what you're referring to po na ina-attach ulit sa liquidation report submitting to the ICFAO, that is what you're certifying to?

MS. VILLADELREY. Yes, Your Honor.

REP. GUTIERREZ. Although the terms in the certification are all documents, you are testifying now that it's only in relation to these particular documents that you have mentioned, tama po?

MS. VILLADELREY. Tama po.

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REP. GUTIERREZ. Thank you po for the clarification, Ms. Villadelrey.

Mr. Chair, if I would still have some time, I'd like to ask just a few preliminary questions to Atty. Sanchez.

THE CHAIRPERSON. Yes, please continue.

REP. GUTIERREZ. Thank you, Mr. Chair.

Atty. Sanchez, kayo po ay dinesigneyt (*designate*) bilang Officer-in-Charge o Chief of Staff of the OVP na inaprubahan ni VP, tama po ba?

MS. SANCHEZ. Mr. Chair, may I know the period covered, Mr. Chair?

REP. GUTIERREZ. I'm just referring to the Office Order No. 2024-56. But if you'd like to testify about any period, you are free to answer, hindi naman po ito yes or no.

MS. SANCHEZ. Mr. Chair, there are different periods, if I recall, that I was assigned as the OIC of the Office of the Chief of Staff, Mr. Chair.

REP. GUTIERREZ. In which case po, can you please relay to this Committee what time, periods po kayo ay naging OIC? And if you can confirm that OIC pa rin po kayo ngayon?

MS. SANCHEZ. Mr. Chair, I cannot recall the specific periods, Mr. Chair, but I can trace the office orders or special orders designating me as the OIC, Mr. Chair.

REP. GUTIERREZ. Could you give us at least a ballpark, not figure, a ballpark duration which months po kayo naging chief...OIC? And I'm sure if natapos po iyong inyong pagiging OIC, that means may na-appoint na actual Chief of Staff, and then naging OIC naman po kayo. Am I understanding your story correctly?

MS. SANCHEZ. No, Mr. Chair. I would just like to clarify that I am only appointed as the OIC for the Office of the Chief of Staff whenever the Chief of Staff and the Assistant Chief of Staff are not available in the office, Your Honor.

REP. GUTIERREZ. Okay. So that's a temporary thing?

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. Hindi naman po siya iyong dahil wala pa iyong Chief of Staff?

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. Okay. Ang sabi po sa Office Order 2024-56 is mayroong travel ang Chief of Staff na si Atty. Zuleika Lopez at Assistant Chief of Staff na si Lemuel Ortonio on October 18, 2024. So, let's zero in on this one time. Do you recall this order?

MS. SANCHEZ. Yes, Your Honor.

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REP. GUTIERREZ. Could you relate to us ano po iyong official travel ni Atty. Lopez and Assistant Chief of Staff Ortonio?

MS. SANCHEZ. Your Honor, from what I recall, they had to travel to Davao, Your Honor.

REP. GUTIERREZ. To Davao.

MS. SANCHEZ. Yes.

REP. GUTIERREZ. And would you recall the duration of this?

MS. SANCHEZ. I do not recall, Your Honor. I can trace the travel order, Your Honor, and provide this Committee with it, Your Honor.

REP. GUTIERREZ. Okay. One last preliminary question. Bilang OIC, would you say you're relatively capable or familiar with the office of at least of the Chief of Staff?

MS. SANCHEZ. Your Honor, as OIC, I only perform functions which are specifically designated to me, Your Honor. So, I still am able to get direct instructions from the Chief of Staff even during the period that she is not in the office, Your Honor.

REP. GUTIERREZ. Even when she is abroad?

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. Okay. One more question. Bilang...sorry, can you clarify, masyadong maliit iyong name tag, you are Director for what department?

MS. SANCHEZ. For Administrative and Financial Services Office, Your Honor.

REP. GUTIERREZ. Okay, Financial Services. Do you have any interactions or any role in the disbursement of iyong confidential funds?

MS. SANCHEZ. Your Honor, my participation in the disbursement of confidential funds is just limited as one of the signatories of the checks for the cash advance, Your Honor.

REP. GUTIERREZ. So, checks for the cash advance which are being verified by Ms. Villadelrey for disbursement lang?

MS. SANCHEZ. Yes, Your Honor.

REP. GUTIERREZ. So, you have no participation in iyong tranches. For example, iyong for 2022 of December, 125 million, kay Ms. Villadelrey, they will only record it as one whole 125 million. But as Director for Finance, would you have any knowledge as to the breakdown of that 125 million and live kung kailan ito dini-disburse?

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MS. SANCHEZ. I'm sorry, Your Honor, but I have no personal knowledge on that matter.

REP. GUTIERREZ. Okay. Thank you very much, Atty. Sanchez.

Mr. Chair, I'll now yield the floor to other interpellators. Maraming salamat po.

THE CHAIRPERSON. Thank you, Congressman Gutierrez.

The next interpellator is Congresswoman Pammy Zamora. You are now recognized.

REP. A. M. J. ZAMORA. Good morning, Mr. Chair. I'd like to direct my questions kay Ma'am—tama ba Julieta? Paano po i-pronounce?

MS. VILLADELREY. Julieta Villadelrey.

REP. A. M. J. ZAMORA. Hi, Ma'am Julieta Villadelrey. Ma'am, binanggit mo na po kay Congressman Gutierrez na kayo po ang Chief Accountant under the OVP. Bilang Chief Accountant po, to whom are you directly under po? Kumbaga, sino po ang inyong immediate and direct supervisor?

MS. VILLADELREY. Under the Director of AFSO po, Your Honor, Administrative and Financial Services Office.

REP. A. M. J. ZAMORA. I'm sorry, Ma'am, mahina po ang pandinig ko, pakiulit po.

MS. VILLADELREY. Under the Director of Administrative and Financial Services Office.

REP. A. M. J. ZAMORA. Okay. And bilang sa ilalim ka po nitong binanggit ninyo, under ka ng Director for Administrative and Financial Services Office...wait lang, Ma'am. Can you confirm if this is the correct organizational chart of the OVP kung saan ka nabibilang?

MS. VILLADELREY. Tama po, under the Director of AFSO.

REP. A. M. J. ZAMORA. And tama po ba, Ma'am, iyong Director for Administrative and Financial Services ay iyong katabi ninyo po ngayon, si Ma'am Rosalynne L. Sanchez?

MS. VILLADELREY. Tama po.

REP. A. M. J. ZAMORA. Okay. And ang...on top of all of this ay ang Chief of Staff na si Ms. Zuleika T. Lopez, tama po?

MS. VILLADELREY. Tama po.

REP. A. M. J. ZAMORA. All right. Ma'am, bilang Chief Accountant...

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REP. A. M. J. ZAMORA. (Continuing)...bilang Chief Accountant, dumadaan po ba sa opisina ninyo iyong mga pondo na pumapasok sa OVP?

MS. VILLADELREY. Yes, Your Honor.

REP. A. M. J. ZAMORA. All right. Okay. For the last quarter of 2022, Ma'am, maaalala ninyo po ba iyong tseke na pumasok sa OVP? Last quarter of 2022.

MS. VILLADELREY. Tseke...

REP. A. M. J. ZAMORA. Opo.

MS. VILLADELREY. Wala po akong...

REP. A. M. J. ZAMORA. Ako na po ang magpapaalala, Ma'am. Ito po, 125 million po. Tama po ba? Pakibasa po. Tama po ba ang pagkakabasa ko na 125 million po siya?

MS. VILLADELREY. Tama po, Your Honor.

REP. A. M. J. ZAMORA. Okay.

MS. VILLADELREY. Pero, Your Honor, as I said earlier, hindi po dumadaan sa amin ang check payment, only the processing of disbursement voucher.

REP. A. M. J. ZAMORA. Opo. Opo, Ma'am, darating tayo diyan. So, ang tanong ko, Ma'am...ang tanong ko, Ma'am...kasi inunahan ako ni Ma'am. Ang tanong ko sa iyo, sabi mo, processing lang of disbursement vouchers. Ang tanong ko ngayon, in any way, are you notified ba kapag may tseke na? Kasi sinabi mo kanina kay Cong. Rodge, assured dapat na may fund na or allocated budget for it. So, paano mo nasasabi iyon? So, in a way nano-notify ka na may tseke na.

MS. VILLADELREY. Only sa report, Your Honor, report of checks issued.

REP. A. M. J. ZAMORA. Sa report mo lang natatanggap, iyon po ba?

MS. VILLADELREY. Tama po.

REP. A. M. J. ZAMORA. So, hindi mo po masasabi sa akin, Ma'am, kung ang tsekeng ito ay...kung ano'ng pinagdaanan po ng tseke na ito, kung ito po ba ay in-encash, dineposit?

MS. VILLADELREY. No, Your Honor.

REP. A. M. J. ZAMORA. Is there anybody here who can answer kung ano pong pinagdaanan ng tseke na ito? All right. Can we go to the next slide?

Mayroon po akong ipapakita ulit. Ma'am, magkano po iyong nakasulat sa tseke na ito for the first quarter of 2023?

MS. VILLADELREY. 125 million, Your Honor.

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REP. A. M. J. ZAMORA. 125 million. And, again, bilang Chief Accountant, sinasabi mo po kanina kay Cong. Gutierrez na hindi po dumadaan sa inyo ito. At, again, processing lang ng disbursement vouchers ang trabaho ninyo po, tama po ba?

MS. VILLADELREY. Tama po, Your Honor.

REP. A. M. J. ZAMORA. All right. At wala po sa ating kahit sino ditong makakasagot kung papaano po lumabas ang tseke na ito. Okay.

Can we go to the next check, please? Ito naman, Ma'am, ay...for the next check, again, of a hundred twenty-five million, kay Ma'am Villadelrey, again, so, hindi po ito again dumaan sa inyo?

MS. VILLADELREY. No, Your Honor.

REP. A. M. J. ZAMORA. Ma'am Rosalynne Sanchez, ikaw po, nakikita ko po...nagulat po ako ikaw...nagulat po ako, ikaw po ang nakapirma dito. Naaalala ninyo po bang pinirmahan ninyo po ito?

MS. SANCHEZ. Yes, Your Honor.

REP. A. M. J. ZAMORA. Pati pala iyong first check tinanong kita kanina, hindi mo naaalala. Okay. So, ano'ng nangyari sa tseke na ito, Ma'am? Ma'am Rosalynne Sanchez.

MS. SANCHEZ. Ma'am, may I just be...Your honor, may I be clarified? When the...I mentioned to Cong. Gutierrez earlier that I am the signatory. My participation for confidential funds is a signatory...

REP. A. M. J. ZAMORA. So, you sign the check and then you don't know...

MS. SANCHEZ. ...for checks.

REP. A. M. J. ZAMORA. ...what happened next?

MS. SANCHEZ. Yes, Your Honor.

REP. A. M. J. ZAMORA. Is that what you're saying? All right, I'll take that answer. Okay.

Mabalik ako kay Ma'am Villadelrey. Ma'am Villadelrey, as the Chief Accountant ng OVP mula early on, nakailang Vice President ka na po sinabi ninyo po sa amin, particular po kayo siguro talaga. In fact, nabanggit ninyo kanina doon sa Joint Circular ng 2015, tama po ba?

MS. VILLADELREY. Tama po.

REP. A. M. J. ZAMORA. And you are very much aware of your responsibilities as agency accountant under the Joint Circular particularly under Section 6.3.3.

MS. VILLADELREY. Tama po, Your Honor.

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REP. A. M. J. ZAMORA. Sa Joint Circular, Ma'am, mayroong guidelines on the grant and liquidation of cash advance for confidential funds, tama po ba?

MS. VILLADELREY. Tama po, Your Honor.

REP. A. M. J. ZAMORA. Kinukumpirma mo kanina, Ma'am, na ayon sa kaalaman mo na kahit na hindi sa iyo dumaan ang tseke, 'di ba, paulit-ulit mo pong sinabi pero kinukumpirma mo pa rin na nakatanggap ng 125 million na confidential funds, four times, ang OVP. Tama po?

MS. VILLADELREY. Tama po, Your Honor.

REP. A. M. J. ZAMORA. Okay. Ma'am Villadelrey, aware ka naman po na kahit hindi po ikaw ang SDO na liable ka pa rin po bilang Chief Accountant ng OVP kung sakaling mapatunayan na nagkaroon ng misuse ng confidential funds ang OVP, tama po ba?

MS. VILLADELREY. Tama po, Your Honor, depending on the participation.

REP. A. M. J. ZAMORA. Under kasi, Ma'am, doon sa Joint Circular, iyong liability mo ay katumbas ng liability ng SDO, tama po ba iyon, Ma'am?

MS. VILLADELREY. Tama po, as mentioned, depending on my participation.

REP. A. M. J. ZAMORA. Opo. Kaso kanina tinatanong ka po ni Cong. Gutierrez, noong nagpirma ka po sa liquidation report, hindi naman po nakasulat doon na ikaw…ito po ang pirma ninyo, o, "Certified supporting documents complete and proper". Eh, iyon po ang pinirmahan ninyo, Ma'am. Tanong lang naman po iyon. Under po ng Joint Circular, again, isa ka talaga doon sa tatlong signatory—ikaw po, iyong SDO na si Ma'am, Gina Acosta, at ang Vice President. And dahil po sini-certify mo ang mga dokumento na isinumite ay kumpleto, sapat bilang Chief Accountant, ikaw ay naging isang accountable officer, tama po ba?

MS. VILLADELREY. Tama po, Your Honor.

REP. A. M. J. ZAMORA. Dahil po, Ma'am, sa pagpirma mo sa receipt of payment, ikaw ay naging accountable sa custody at pag-safekeep ng mga funds na ito, tama po ba, Ma'am?

MS. VILLADELREY. No, Your Honor. Hindi po ako nag-safekeep ng fund. Only the processing of issuance of cash advance and recording of its liquidation.

REP. A. M. J. ZAMORA. All right. Familiar ka po ba, Ma'am Villadelrey, sa Presidential Decree No. 1445 or the Government Auditing Code?

MS. VILLADELREY. Yes, Your Honor, PD 1445.

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REP. A. M. J. ZAMORA. Sa mga hindi po familiar dito, we will flash it.

Under Section 103. General...it says "General liability for unlawful expenditures. Expenditures of government funds or uses of government property in violation of law or regulations shall be a personal liability of the official or employee found to be directly responsible therefor".

In Section 105, it talks about the measure of liability of accountable officers. Binanggit ninyo po kanina, kayo po ay isang accountable officer. It states, "Every officer accountable for government property shall be liable for its money value in case of improper or unauthorized use or misapplication thereof, by himself or any person for whose acts he may be responsible. We shall, likewise, be liable for all losses, damages, or deterioration occasioned by negligence in the keeping or use of the property, whether or not it be at the time in his actual custody.

Every officer accountable for government funds shall be liable for all losses...

(MR. ALVIN ANTHONY F. RABULAN TOOK OVER)

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REP. A. M. J. ZAMORA. (Continuing)...all losses resulting from the unlawful deposit, use or application... or application thereof and for all losses attributable to negligence in the keeping of the funds."

Ibig sabihin ng mga provisions na ito ng PD 1445, personal liability ng accountable officers ang unlawful use or application of government funds or any loss attributable to the accountable officer's negligence in keeping the funds. Sumasang-ayon ka po ba ditto, Ma'am Julieta Villadelrey?

MS. VILLADELREY. Your Honor, may I reiterate lang po na hindi po ako nag-handle ng cash and my participation in the confidential fund is only in the issuance of it, the processing of the disbursement voucher, checking of all the supporting documents attached to the issuance of a cash advance.

REP. A. M. J. ZAMORA. Ma'am, if hindi po kayo... wala po kayong interaction sa SDO, hindi niyo po ba nakikita ang SDO na nagre-receive ng check ng subject of the disbursement voucher?

MS. VILLADELREY. No, Your Honor.

REP. A. M. J. ZAMORA. Sino po ang nag-re-release ng check sa SDO?

MS. VILLADELREY. Cash Division, Your Honor.

REP. A. M. J. ZAMORA. Cash Division.

Sino naman po... Ang tanong ko po sa inyo since pinirmahan ninyo po lahat po ng liquidation reports na mayroon po ako dito, sino po ang nag-aabot sa inyo ng liquidation report for your signature?

MS. VILLADELREY. It was routed po to our office.

REP. A. M. J. ZAMORA. It was routed. How... What is this process? What's it like...

MS. VILLADELREY. It was...Yes it was routed po from...

REP. A. M. J. ZAMORA. From?

MS. VILLADELREY. From Office of the VP...

REP. A. M. J. ZAMORA. From Office of the VP...

MS. VILLADELREY. ...to Accoun...

REP. A. M. J. ZAMORA. ...Sino po ang nagdadala noon, Ma'am? Was it a messenger?

MS. VILLADELREY. Liaison Officer, Your Honor.

REP. A. M. J. ZAMORA. Who is this liaison officer?

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MS. VILLADELREY. I... I don't have idea, Your Honor, since hindi... it was handed... it was only handed to me by my staff in a... in a folder or in an envelope with mark, "Confidential".

REP. A. M. J. ZAMORA. Oh, it's... I mean, it's such a big deal. So, inaabot-abot lang po pala iyong ganitong papel. Okay.

So, Ma'am, kayo po hindi po kayo sumasang-ayon doon sa provisions ng PD 1445. Kahit na po kanina binanggit ninyo po na you agree that you are the AO or the Accountable Officer.

MS. VILLADELREY. Yes, Your Honor. I am accountable officer only in the issuance of cash advance.

REP. A. M. J. ZAMORA. Hindi po ba ganoon din po iyon? Okay. Sa ngayon, Ma'am, ako tatanungin ko parin po 'to, bilang accountable officer po noong mga ipinakita ko pong tseke noong 2022 at 2023, would you agree that any unlawful use of these funds would be your personal liability?

MS. VILLADELREY. Based on the Joint Circular, Your Honor, but...

REP. A. M. J. ZAMORA. So, yes.

MS. VILLADELREY. Yes, depende po sa participation ko as Chief Accountant.

REP. A. M. J. ZAMORA. Oo, nag-yes ka na.

Ma'am, dahil po pinirmahan mo po bilang Chief Accountant ng OVP ang mga disbursement voucher at liquidation reports, may presumption naman po talaga tayo of regularity and that everything is above board, 'di ba po?

MS. VILLADELREY. Yes, Your Honor. Yes, Your Honor.

REP. A. M. J. ZAMORA. Pero bakit kaya, Ma'am, base sa mga testimony noong nakaraang hearing, nalaman ng publiko, nalaman din namin dito na bukod sa unreasonable at hindi makatarungan ang paggastos ng mga funds na ito ay hindi din properly substantiated or supported ng dokumento katulad na lamang po ng mga disbursement vouchers na sinertipay *(certify)* mo po?

MS. VILLADELREY. Ang disbursement voucher, Your Honor, na sinertipay *(certify)* ko is for the issuance of cash advance. It was all submitted for post-audit to the Resident Auditor of COA. And, as far as I'm concerned, Your Honor, wala pong naging EOM ang issuance ng cash advance.

REP. A. M. J. ZAMORA. All right.

Mr. Chair, we can confirm, 'no, bilang iyong Chief Accountant na si Ma'am Julieta Villadelrey, kahit po she devoids herself of responsibility doon sa tseke,

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hanggang doon lang siya sa disbursement voucher, nandoon talaga siya. We can confirm that she is part of the process ng naging paggastos ng... at liquidation ng confidential funds ng OVP.

And as we continue our deliberations, Mr. Chair, on the issue I hope that Ms. Villadelrey, will continue to be very diligent in cooperating with the Committee para po mas mabigyang linaw ang ating mga katanungan.

Iyon lamang po, Mr. Chair. Thank you very much. And I yield to the next interpellator.

THE CHAIRPERSON. Thank you, Congresswoman Zamora.

The Chair would like to recognize the Honorable Deputy Speaker Jay-Jay Suarez.

REP. SUAREZ. Thank you very much, Mr. Chair.

Magandang tanghali po, Ma'am Julieta Villadelrey.

MS. VILLADELREY. Magandang tanghali po.

REP. SUAREZ. Ma'am, gaano katagal na po kayong naglilingkod sa ating pamahalaan?

MS. VILLADELREY. I started, Your Honor, 1990. About 34 years already.

REP. SUAREZ. Thirty-four years. Tama po ba rinig ko, 34 years?

MS. VILLADELREY. Tama po.

REP. SUAREZ. So, you've been committed to public service for a great part of your life. And you've been assigned to the Office of the Vice President only or have you transferred to other offices?

MS. VILLADELREY. To Accounting Division, Your Honor, of the Office of the Vice President.

REP. SUAREZ. Doon lang.

MS. VILLADELREY. Doon lang po.

REP. SUAREZ. So, doon kayo nag-umpisa at hanggang doon... hanggang ngayon nandoon Narin kayo...

MS. VILLADELREY. Tama po.

REP. SUAREZ. ...nandoon pa rin po kayo.

MS. VILLADELREY. Tama po.

REP. SUAREZ. So, Ma'am, sa... nabanggit niyo, simula noong panahon ni Laurel, nandoon na po kayo?

MS. VILLADELREY. Yes, Your Honor. Last two years po ni VP Laurel.

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REP. SUAREZ. Okay. So, sa maraming Vice Presidents na pinaglingkuran po ninyo, ngayon lang po nagkaroon ang Office of the Vice President ng malaking halaga para sa confidential funds, tama po ba ito?

MS. VILLADELREY. As I recall, Your Honor, tama po.

REP. SUAREZ. So, never in the past has a Vice President received this large amount of confidential funds?

MS. VILLADELREY. Not at this amount, Your Honor.

REP. SUAREZ. Thank you very much.

Now, Ms. Villadelrey, kanina nababanggit po iyong halagang 125 million na natanggap noong fourth quarter of 2022, first quarter of 2023, second quarter of 2023, third quarter of 2023, tama. So, kung hindi po ako nagkakamali that's apat na tseke.

MS. VILLADELREY. Tama po.

REP. SUAREZ. Iyong apat na tseke pong iyon ay aabot ng 500 million pesos, tama po ba iyon?

MS. VILLADELREY. Tama po.

REP. SUAREZ. Okay. Ma'am, matanong ko lang bago ako tumulak sa susunod kong mga tanong, sa nakalipas na mga hearings namin kayo po ay pinadadalhan po namin ng imbetasyon.

MS. VILLADELREY. Tama po.

REP. SUAREZ. Bakit ngayon lang po kayo nagdesisyon na dumalo?

MS. VILLADELREY. Sir, as I mentioned po sa aking statement, the first invitation na kasama ako, I was on leave from September 23 to October 14. And then, for the second invitation po na kasama rin ako, because of the matagal kong absence is marami po akong backlog, so I have to attend to many tasks, Your Honor.

REP. SUAREZ. Kaso lang alam niyo naman po iyong kahalagahan ng mga pandinig na ito. Bakit hindi ninyo po binigyan ng sapat na importansiya para po makadalo sa Committee ng Good Government?

MS. VILLADELREY. Sir, that is the reason po na nag-attend kami ngayon.

REP. SUAREZ. But after receiving a subpoena?

MS. VILLADELREY. Yes, Your Honor.

REP. SUAREZ. So, I think, Ma'am, sa 34 years niyo na pong paglilingkod, hindi na dapat umaabot sa subpoena. Dapat, on mere invitation pa lang nakakadalo na po kayo dahil, *(Laughs)* sa totoo lang, hindi naman siguro dapat tumagal ng ilang

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hearing kami dito kung dumadalo po iyong mga resource persons naming, given that career official pa po kayo, 34 years binanggit ninyo.

Ngayon Ma'am, patungkol po doon sa confidential funds, before you issue another check, documents have to be submitted to your office with regards to how this was utilized and how it was liquidated, correct?

MS. VILLADELREY. No, Your Honor. And basis lang po ng liquidation sa books of accounts is the received transmittal letter from ICFAO.

REP. SUAREZ. Hindi. Kunyari, humingi sila ng one hundred twen... nag-release kayo ng tseke ng 125, 'di ba, for 125 ng fourth quarter...

(MS. EMERITA E. AVILA TOOK OVER)

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REP. SUAREZ. (Continuing)...fourth quarter of 2022, for you to issue another disbursement document, they have to submit the necessary requirements as to how the previous 125 was utilized, correct?

MS. VILLADELREY. Hindi po. Ang basis po ng liquidation, once received ang transmittal letter, received...duly re...duly stamped, received by ICFAO, iyon po iyong time na ite-take up ko ang liquidation sa books of accounts. So, liquidated po iyong cash advance. Upon request of the next issuance of cash advance, I will issue po certificate of unliquidated cash advance for the SPO.

REP. SUAREZ. Okay. Kasi tulad po kasi noong nabanggit ni Congresswoman Zamora, nakasulat po kasi dito, supporting documents are complete and proper, at naka-affix po iyong signature niyo dito.

MS. VILLADELREY. Yes, Your Honor. That is pertaining to the supporting documents for the issuance of cash advance.

REP. SUAREZ. Yeah. So, when it comes to the supporting documents, can you just enlighten me and educate me, what are these supporting documents that need to be complete and proper before you issue another cash advance?

MS. VILLADELREY. For the issuance of cash advance, Your Honor, the disbursement voucher and the ORS should be supported with special order of the designated SDO, the approved bonding from the BTr, the physical and financial plan of the fund, the specimen signature of all the disbursing officers of the ORS-NDB, the SBR or the copy of the GAA, and the Notice of Cash Allocation, Your Honor. If it is a succeeding cash advance, it should be supported with certification of no unliquidated cash advance of the SDO.

REP. SUAREZ. At lahat po ito natatanggap ninyo?

MS. VILLADELREY. Yes, Your Honor.

REP. SUAREZ. At bago po kayo mag-issue ng disbursement, dapat tinitiyak niyo na kumpleto lahat?

MS. VILLADELREY. Tama po.

REP. SUAREZ. At hinihimay ninyo lahat ng mga dokumento, lahat ng mga papeles, lahat ng mga ipina...pinadadala sa inyo?

MS. VILLADELREY. Tama po.

REP. SUAREZ. Sino po ang nagpapadala sa inyo ng mga dokumentong ito?

MS. VILLADELREY. Nanggagaling po ang mga docume...mga documents routed from Office of the VP.

REP. SUAREZ. Saan po galing?

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MS. VILLADELREY. Office of the VP po.

REP. SUAREZ. Galing sa Office of the Vice President. Sino po ang nagdadala sa inyo ng mga dokumentong ito?

MS. VILLADELREY. It was routed po through Administrative Officer.

REP. SUAREZ. And who is this Administrative Officer?

MS. VILLADELREY. Hindi ko po kilala since tinatanggap din…lang din po siya ng AO ng Accounting Division. And once received in the Accounting Division, ira-route po ito sa table ko.

REP. SUAREZ. So hindi niyo po kilala iyong nagpapadala ng mga dokumentong ito sa inyo?

MS. VILLADELREY. It's only through AO po, administrative officer.

REP. SUAREZ. So, who is this administrative officer?

MS. VILLADELREY. Sir, hindi po ako nakapag-interact sa administrative officer since ang documents is hina-hand…pino-forward lang sa akin ng accounting staff mismo.

REP. SUAREZ. Hind, kaso lang ang… Considerable iyong amount, Ma'am, eh, ang laki, eh, at dahil nga nabanggit din na, I mean, administratively and for whatever cases that may be filed or...or may see na may liability, kasama po kayo sa mga liable. So, I would assume that a certain level of consciousness on your part when it comes to the documents being submitted to you will be exercised, especially in the manner of who is submitting to you those documents.

MS. VILLADELREY. Yes, Your Honor. It was routed through a sealed envelope or in a folder with marked confidential on it, Sir.

REP. SUAREZ. At sino po ang nagpapadala sa inyo nito?

MS. VILLADELREY. Sa Office of the VP po.

REP. SUAREZ. Sino… Would…would the OIC-COS be able to verify who this administrative officer is?

MS. SANCHEZ. Your Honor, I'm sorry, but I cannot identify the specific administrative officer as we have several administrative officers in the office, Your Honor.

REP. SUAREZ. No, but, okay. So, but you may have several. How many…how many administrative officers do you have—20, 30…

MS. SANCHEZ. Yes, I…we'll…

REP. SUAREZ. …50?

MS. SANCHEZ. …check, Your Honor, but…

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REP. SUAREZ. No, I mean, Ma'am…

MS. SANCHEZ. …but it's more than 10 administrative officers or staff.

REP. SUAREZ. Okay. So, you have 10 administrative officers. How many administrative officers do you have tasked to handle confidential funds?

MS. SANCHEZ. I have no personal knowledge about it.

REP. SUAREZ. But you're the Chief of Staff, you should know.

MS. SANCHEZ. Your Honor, I was only the OIC of the Office of the...

REP. SUAREZ. Before acting as OIC, what were…what was the position that you held in the Office of the Vice President?

MS. SANCHEZ. I am the Director for Administrative and Financial Services, Your Honor.

REP. SUAREZ. So, therefore, as Director for Administrative and Financial, you would know who the administrative officer is in handling the confidential funds. I mean, it's a big fund and, you know, it's very delicate in its nature that proper care would have to be given to it and attention. So, dapat trusted at maaasahan ninyo. Kasi kung magkaroon ng bulilyaso sa pagha-handle ng pondong ito, malaking halaga po ang pinag-uusapan natin. You're talking about 125 million pesos per quarter. That's 500 million. So, who is the administrative officer that you have tasked from the Office of the Vice President to submit these documents to your Chief Accountant?

MS. SANCHEZ. Your Honor, again, I apologize, but I am really not privy to that information, Your Honor.

REP. SUAREZ. Will you be kind enough to find out?

MS. SANCHEZ. I will try, Your Honor. I will check, Your Honor.

REP. SUAREZ. Thank you very much.

So, Ma'am Julieta Villadelrey, matanong ko lang, ha, huwag naman po sana kayo masasaktan, kayo ay 34 years na sa Office of the Vice President, nasusundan ninyo po ba iyong mga hearings namin dito?

MS. VILLADELREY. May mga hearings po akong napapanood, Your Honor.

REP. SUAREZ. Okay. So, siguro nakita niyo rin naman iyong ilan sa mga red flags at inconsistencies na napansin po ng Committee pagdating po sa mga acknowledgement receipts na nai-submit, ano, hindi po ba?

MS. VILLADELREY. Yes, Your Honor.

REP. SUAREZ. At ilan din po sa mga lumitaw ng mga issues patungkol po sa confidential funds other than the acknowledgement receipts ay iyong mga questionable utilization niya, hindi po ba?

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MS. VILLADELREY. Tama po.

REP. SUAREZ. Aware din po kayo. Ma'am, would you say or to a certain extent be able to determine...pagdating po ba sa management ng Office of the Vice President, the same level and style of management was exercised during the time the Vice President was Secretary of Education?

MS. VILLADELREY. Again, Your Honor.

REP. SUAREZ. Iyong management style po, iyong pagpapatakbo ng opisina, magkaparehas po ba iyong istilo ng pagma-manage na ipinakita ni Vice President Sara sa Office of the Vice President at pati po sa...bilang Secretary ng Department of Education?

MS. VILLADELREY. Hindi po ako aware kung papaano mina-manage ni VP ang DEPED. But I am under the Office of the Director of Admin and Finance, so...

REP. SUAREZ. So, hindi kayo masyadong aware.

What about you, Atty. Sanchez, was it the same management style? Was she strict? Was she on time? Was she diligent? How would you say, was it the same?

MS. SANCHEZ. I'm sorry, Your Honor, but I cannot compare because I do not have personal knowledge on how she is managing DEPED.

REP. SUAREZ. Ah, okay. So, thank you very much.

Anyway, Mr. Chair, I have no further questions. I just wanted to answer some questions...ay, no, get some answers from Mister...from Ma'am Villadelrey.

Salamat po, Ma'am.

THE CHAIRPERSON. Thank you.

REP. SUAREZ. Ay, pahabol lang. Sorry, Mr. Chair.

THE CHAIRPERSON. Yes, please continue.

REP. SUAREZ. Ma'am Delrey, so, sinabi niyo kanina nasusundan niyo iyong mga hearings natin, hindi po ba?

MS. VILLADELREY. Yes, Your Honor.

REP. SUAREZ. At career official din po kayo. At nag-oath po kayo kanina. Oo. Nangako po kayo na hindi po kayo magsisinungaling. Ma'am, kayo po ba'y nakakatanggap ng mga envelopes?

MS. VILLADELREY. Envelopes po na regard...

REP. SUAREZ. Na may laman na pera sa loob?

MS. VILLADELREY. No, Your Honor.

REP. SUAREZ. Wala?

MS. VILLADELREY. No, Your Honor.

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REP. SUAREZ. Kasi sa DEPED, may ganoon, eh, may parang payola silang ibinibigay sa mga pumipirma ng mga dokumento. Sa inyo po?

MS. VILLADELREY. Wala po, Your Honor.

REP. SUAREZ. Wala po kayong natanggap?

MS. VILLADELREY. Wala po.

REP. SUAREZ. Ever since?

MS. VILLADELREY. Ever since.

REP. SUAREZ. Okay. Thank you very much.

Thank you very much, Mr. Chair.

THE CHAIRPERSON. Thank you.

The next interpellator is Congressman Valeriano.

REP. ROLANDO M. VALERIANO. Thank you, Mr. Chair.

Puwede po kay Ms. Villadelrey ulit? Ma'am, pagod ka na ba, Ma'am, hindi pa? Kaya pa?

MS. VILLADELREY. Kaya pa, Sir

REP. VALERIANO. Gutom na...

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REP. VALERIANO. (Continuing)...Gutom na po kayo?

MS. VILLADELREY. Hindi po.

REP. VALERIANO. Okay lang? *(Laughs)*

Kanina po nasabi ninyo matagal na kayo sa OVP, tama po?

MS. VILLADELREY. Tama po.

REP. VALERIANO. Since 1990?

MS. VILLADELREY. Tama po.

REP. VALERIANO. Sa halos tatlong dekada na po iyon, ano?

MS. VILLADELREY. Tama po.

REP. VALERIANO. You were part of the staff of the Vice President Leni Robredo...

MS. VILLADELREY. Tama po.

REP. VALERIANO. ...noong nakaraan, tama po?

MS. VILLADELREY. Tama po.

REP. VALERIANO. And under VP Robredo, you were, of course, involved in the preparation of the budget of the OVP for the Fiscal Year 2022. Iyan po iyong bago mag-eleksiyon, tama po?

MS. VILLADELREY. Tama. Tama po.

REP. VALERIANO. As part of the Finance/Accounting, you are aware of the contents of the budget of the OVP, tama? Tanda ninyo po? Including 2022.

MS. VILLADELREY. Your Honor, the preparation of budget proposal is delegated to our budget officer.

REP. VALERIANO. Anyway, Ma'am, ganito po. Mayroon akong slide dito—paki ano na lang, ComSec—iyong budget ng OVP for 2022 and 2023 because I noticed some jumps between them. Please, mayroon kayong ano, slide?

Mr. Chair, habang inaantay po natin, one minute recess, please.

THE CHAIRPERSON. One-minute suspension is declared by the Chair.

Suspension: 11:39 a.m.

Resumption: 11:43 a.m.

THE CHAIRPERSON. Committee hearing resumes.

Congressman Valeriano.

REP. VALERIANO. Madam Villadelrey, okay na po kayo?

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. Paki ano lang po iyong ano, iyong...Iyan po, nakita ninyo? We can observe po na may significant jumps from line item appropriation

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between...for the year 2022 saka iyong 2023 for the OVP. Of course, iyong 2023 prepared na po iyan ng present VP natin.

As the Chief Accountant, would it be fair to say na nagkamali ang OVP noong panahon ni VP Robredo when it prepared the budget for Fiscal Year 2022 kaya mukhang maliit, Ma'am, iyong budget nila noong 2022, Ms. Villadelrey? Tingin ninyo nagkamali ang Office of the Vice President, si Vice President Leni Robredo, noon? 2022 po, maliit iyong ano nila, iyong budget nila noon.

MS. VILLADELREY. No, Your Honor.

REP. VALERIANO. Tama po iyon?

MS. VILLADELREY. Tama po. At it was stated po in the GAA of 2022.

REP. VALERIANO. So, could you help us understand where the budget of the OVP for the year 2023 is significantly higher?

MS. VILLADELREY. Yes po, Your Honor, malaki po iyong difference.

REP. VALERIANO. Ma'am, I'm looking at the notes to...iyong financial statement po for the year December '22 of the OVP. It states here that the supplies and materials—iyong nasa una po—supplies and materials expenses amounted to 53 million 483 thousand 463.47 for the year 2022; habang ayon sa GAA 2022, 45 million 821 thousand ang budget allocation ng OVP for supplies and maintenance. Clearly, above the budget allocated na po ang OVP for 2022. Tama po, lumagpas ito sa budget allocation?

MS. VILLADELREY. Tama po, Your Honor, for GAA.

REP. VALERIANO. Ito, Ma'am, iyong kalahati na po, siya na, eh, 'no, June 30, July 1?

MS. VILLADELREY. Yes, Sir.

REP. VALERIANO. Mr. Chair, for everyone's guidance, under Note 18 of the Notes to Financial Statement, supply and materials expenses consist of: office supply expenses, katulad ng mga folder, paper, ballpens, stapler. Tama po?

MS. VILLADELREY. Tama po.

REP. VALERIANO. Welfare goods expenses, ang kasama dito ay mga ayuda o relief goods, katulad ng bigas, delata, at tubig; drugs and medicine expenses, ito ay ang mga gamot at vitamins na idinistribyut *(distribute)* sa Bayanihan E-Konsulta pati na rin sa Swab Cab and Vaccine Express sa mga taong na-expose sa COVID-19; medical, dental, and laboratory supply expenses, ito naman ay ang mga personal protective equipment, o PPE, na ginamit natin at ipinamigay noong COVID-19; semi-

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expendable machinery and equipment expenses; and other supplies and material expenses.

Tayo po ay pumunta sa allocation ng OVP under the General Appropriation Act. Nakalagay sa GAA for 2022, ang budget na nakalaan for supplies and materials expenses for the 2022 ay nasa halagang 45 million 821—nasaan na iyong slides, paki—45 million 821, tama po, Ma'am?

MS. VILLADELREY. Wala po iyong slides.

REP. VALERIANO. Nawala ulit? Iyong unang ano, slide. Iyan po. Iyan na, Ma'am. Iyong 45 million 821. Para saan po itong supplies and materials expenses? Saan po ito ginamit or gagamitin?

MS. VILLADELREY. Your Honor, for supplies and material expenses for 2022...

REP. VALERIANO. 2022, opo.

MS. VILLADELREY. Yes. Partly po, half for VP Leni and half for VP Sara.

REP. VALERIANO. Yes, Ma'am.

MS. VILLADELREY. Mostly, supplies and materials of the office, welfare goods, medicines, fuel.

REP. VALERIANO. Iyan po iyong binanggit ko kanina, iyong in-itemize ko halos?

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. Kapag tiningnan mo iyong GAA or iyong General Appropriations Act for 2023 naman, Ma'am, ang nakalaan na budget for supplies and material expenses for the year 2023 ay nasa halagang 272 million 230 thousand, tama po ba iyon?

MS. VILLADELREY. Tama po, Your Honor.

REP. VALERIANO. Ibig sabihin, tumaas ng approximately 494 percent, halos 500 percent po ang pondo na in-allocate para sa naturang supplies and material expenses, tama po?

MS. VILLADELREY. Tama po.

REP. VALERIANO. Almost five times more money was allocated for the same expenses. Bakit tumaas ang halaga ng supplies and material expenses for the year 2023? Ma'am, can you please give us an explanation to this item?

MS. VILLADELREY. Sir, can I...

REP. VALERIANO. Sige po.

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MS. VILLADELREY. Can I endorse it to our budget officer for the explanation of the 2023 GAA?

REP. VALERIANO. Mr. Chair. Mister, I think...

THE CHAIRPERSON. Mr. Kevin...

THE ACTING COMMITTEE SECRETARY. Kelvin.

THE CHAIRPERSON. ...Kelvin, you're recognized.

MR. KELVIN GEROME L. TEÑIDO (Chief Administrative Officer, Budget Division, Office of the Vice President). Thank you, Mr. Chair.

Mr. Chair, before I respond to the question, can I read just...can I just read my opening statements, supposedly? Kaso hindi ko ito...hindi ko na lang po na-submit prior to the hearing today. This is very short lang po.

THE CHAIRPERSON. Did you submit your opening statement?

MR. TEÑIDO. No. No, Sir. No, Mr. Chair.

THE CHAIRPERSON. But, under our rules, it's supposed to be...we should receive it 48 hours before the...

MR. TEÑIDO. I will proceed to answering the question.

THE CHAIRPERSON. Yes, please answer na lang po.

MR. TEÑIDO. Yes, that is correct that the budget of OVP for 2022 under supplies and materials is 45 million 821 thousand; and in 2023...

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MR. TEÑIDO. (Continuing)...in 2023, it increased to 272 million 230 thousand. That is because during the budget legislation period or until such time na magkaroon ng Bicam, nagkaroon po kami ng coordination with... I think with DBM to request for additional funding since iyong 2023 po is the full year... full year Vi... full service of the new Vice President. So, iyong breakdown po noong additional po for 2023, which is equivalent to 227.8 million, relates to relief goods amounting to 120 million; school supplies, 60 million; reproductive health items, 30 million; supplies for the contract of service personnel, 12.5 million; fuel/petroleum for the satellite offices, 1.8 million; and additional po doon sa aming existing fleet, equivalent to 3.5 million.

REP. VALERIANO. So, I mean, noong 2022, 45 million 821 thousand ang supply and materials expenses ng OVP.

MR. TEÑIDO. Yes, Mr. Chair.

REP. VALERIANO. Ang nagamit is 53 million 483 thousand 463.47.

MR. TEÑIDO. Based on the COA report. But I have different data po, Sir, because I am...

REP. VALERIANO. An...

MR. TEÑIDO. Sige, Sir.

REP. VALERIANO. ...Anyway, pag dating ng 2023, ang ni-request niyo na is 272 million 230 thousand. So, hindi naman siguro ito puwedeng i-attribute sa inflation, hindi po ba?

MR. TEÑIDO. Yes, Sir. Yes, Mr. Chair. That's correct po.

REP. VALERIANO. Sige.

So, kay Ms. Vil... Villadelrey po ulit.

May bago bang empleyadong hinayr *(hire)* ang OVP sa... at that time pagpasok ni VP Sara? Iyon po ba iyong dahilan kung bakit tumaas ng almost 500 percent iyong budget?...

MS. VILLADELREY. Based...

REP. VALERIANO. ...Marami bang bagong ano, employing *(employee)* dala-dala? Ano po?

MS. VILLADELREY. Yes. Based on record, Sir, may mga additional employees ang Office of the Vice President under VP Sara.

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REP. VALERIANO. Ma'am, masasabi niyo po ba kung ano basehan nitong budget na ito, iyong 494 percent increase noong 2023?

MS. VILLADELREY. Your Honor, considering iyong mga bagong projects ni... ng Office of... considering the new projects to be implemented by VP Sara and the new employees to be... and the new employees hired under her administration po is...

REP. VALERIANO. We are talking of supplies and materials expenses po, ha.

MS. VILLADELREY. Yes, Your Honor. There are new projects po under VP Sara na gagamit ng supplies and materials expenses.

REP. VALERIANO. So, ang office supplies po ay mga bond paper, paper clip, ballpens, stapler, folder, at iba pa, tama po?

MS. VILLADELREY. Tama po. Pero dito din po sa line item na...

REP. VALERIANO. Opo.

NS. VILLADELREY. ...supplies and materials na ito kinukuha iyong mga expenses for Relief Operations Pagbabago.

REP. VALERIANO. So, dumami din po iyong empleyado ng OVP o kaya iyong trabaho ng OVP at that time?

MS. VILLADELREY. Tama po.

REP. VALERIANO. So, sabihin natin na dumami iyong mga satellite... iyong satellite office po nagkaroon, nadagdagan?

MS. VILLADELREY. Tama po, nadagdagan po.

REP. VALERIANO. Pero, Ma'am, 500 percent ang increase, ha. Wala ba kayong limit sa paggamit ho o pag-procure ng mga office supplies o call ito ng Vice President?

MS. VILLADELREY. Based on the PPMP, Your Honor, and the Annual Procurement Plan, together with the work and financial plan prepared by each implementing unit, Your Honor.

REP. VALERIANO. Second, Ma'am, may na-allocate ba na budget para sa welfare goods expenses?

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. Magkano po ang na-allocate para dito?

MS. VILLADELREY. I do not have my records, Your Honor, as of now.

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REP. VALERIANO. Ma'am, para saan ang welfare good expenses po? Ano iyong ano niya, specific niya?

MS. VILLADELREY. For relief operation, Your Honor.

REP. VALERIANO. So, relief. So, ang sakop ng welfare goods ay mga ayuda tulad ng bigas, canned goods, damit. Tama po?

MS. VILLADELREY. Rice and canned good and other items po.

REP. VALERIANO. Opo.

MS. VILLADELREY. Not clothes.

REP. VALERIANO. So, kapansin-pansin na, ayon sa audit report ng COA, noong 2022, ang pinakamalaki na gastusin ng OVP ay nagmula sa welfare goods expenses na nagkakahalaga ng 19 million 597 thousand 581.50. To recall, sa mga panahon na iyon, mayroon pa ho tayong COVID noon sa bansa. Ngunit ngayon, masasabi po ba na laganap pa rin ang COVID-19 na kailangang gumastos ng ganito kalaki? So, ano ang basehan ng OVP sa paghingi ng malaking halaga ng welfare goods sa expenses po? Nandiyan po, 19 million 597, 581.50, Ma'am?

MS. VILLADELREY. Your Honor, as far as I can remember, lifted na po ang pandemic that time.

REP. VALERIANO. Wala na po, dinekleyr *(declare)* na rin ni President Marcos na lifted na.

Sino po ang nag-spearhead ng mga relief operation ninyo kung saan ginastos iyong mga iyong mga naka... iyong mga nakalista po roon sa welfare good expenses? Iyan po iyong mga ayuda.

MS. VILLADELREY. Yes, Your Honor. Under the Special Projects Division, as well as our Disaster Operation Center, Your Honor.

REP. VALERIANO. So, may department po talaga?

MS. VILLADELREY. Yes po.

REP. VALERIANO. Si VP Duterte po ba nagde-determine ng final amount ng budget to be requested?

MS. VILLADELREY. As far as I know, Your Honor.

REP. VALERIANO. As far as you know.

So, alam po ni VP Duterte iyong mga paggagastusan, tama po?

MS. VILLADELREY. Tama po.

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REP. VALERIANO. Nag-a-allocate din ba ng budget para sa drugs and medicine expenses, Ma'am? Magkano ina-allocate? Ayun po.

MS. VILLADELREY. May I refer your question to our Budget Officer, Your Honor, Sir Kelvin?

REP. VALERIANO. Mr. Chair, for the budget, Mister...

THE CHAIRPERSON. Mr. Kelvin, you're recognized. Kelvin, you're recognized.

MR. TEÑIDO. Thank you, Mr. Chair.

For 2022, under drugs and medicine expenses, based on the submitted financial accountability report, the allocated amount was 1.6 million.

REP. VALERIANO. Again, 1 point? Hindi ba 1.7?

MR. TEÑIDO. Sir, based on our obligation figures, the amount is 1 point... 1 million 601 thousand 745 and 25 centavos.

REP. VALERIANO. That is for 2022?

MR. TEÑIDO. Yes, Mr. Chair.

REP. VALERIANO. And magkano ang na-consume?

MR. TEÑIDO. That is the actual amount utilized for the Fiscal Year 2022, Mr. Chair.

REP. VALERIANO. Kasama dito iyong E-Konsulta care kits, beneficiaries of the Swab Cab, and Vaccine Express at iba pa noong COVID-19, tama, 2022?

MR. TEÑIDO. I cannot recall, Mr. Chair, but kung iyong concern po is about sa gamot na binili and then binigay sa beneficiary, dito po siya sa account na ito papasok.

REP. VALERIANO. Again, sino po iyong nagdidikta pagdating dito, si Vice President sa budget ng gamot?

MR. TEÑIDO. In 2022, the bulk of the... out of 1.6, Sir... Mr. Chair, 1.57 million was utilized or obligated within...

REP. VALERIANO. From January to June 30, magkano ang na-utilize doon sa 1 point...

MR. TEÑIDO. Okay, Sir. For first quarter, 1.57 million; for second quarter, 590 pesos.

REP. VALERIANO. Magkano ba iyong total niya sa one year?

MR. TEÑIDO. I'm sorry, Mr. Chair?

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REP. VALERIANO. Magkano iyong total niya for one year, 2022?

MR. TEÑIDO. 1 million 601 thousand 745 and 25 centavos.

REP. VALERIANO. So, iyong first two quarters, magkano ang na-consume?

MR. TEÑIDO. More or less, 1 million 570 thousand 898 and 75 pesos.

REP. VALERIANO. So, mga…

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REP. VALERIANO. (Continuing)...So, mga...so iyong 12 million na-consume ng dalawang quarter – July to December, tama?

MR. TEÑIDO. July to December iyong remaining po na 13,874 and 16,981.50 centavo.

REP. VALERIANO. Ah, okay. May nakalaan ba na pondo iyong medical, dental, and laboratory supply expenses? Magkano po ang hiningi ni OVP para dito?

MR. TEÑIDO. During the year, Sir, ang naging allotment available po for medical, dental, and laboratory supplies is equivalent...this is for Fiscal Year 2022, 11 million 259 thousand 400 pesos and 33 centavos.

REP. VALERIANO. Again – 11 million...

MR. TEÑIDO. Eleven million...11 million 259 thousand 400 and 33 centavos.

REP. VALERIANO. Ito iyong ano, iyong PPE, Personal Protective Equipment, sinuot natin noon sa COVID-19, tama?

MR. TEÑIDO. Yes, Sir, kasama po iyon.

REP. VALERIANO. Sige. Ayos sa notes to financial statement for the year December 2022 ng OVP, kabilang sa medical, dental, and laboratory supply expenses ang PPE. So, noong 2023, wala ng COVID-19, tama? Sige, Sir.

MR. TEÑIDO. Mr. Chair, noong 2023 wala na po kaming COVID operations within the OVP.

REP. VALERIANO. So, ano ang basis ng OVP sa paghingi ng ganito kalaki na pera again, iyong 2023 budget nila?

MR. TEÑIDO. Mr. Chair, for 2023 under medical, dental, and laboratory expenses...

REP. VALERIANO. Magkano iyong, ano, 2023 budget nila diyan?

MR. TEÑIDO. Wala pong naka-allocate but we have actual utilization po of 347,000.

REP. VALERIANO. Yes, 300...

MR. TEÑIDO. Forty-seven thousand.

REP. VALERIANO. Doon naman tayo sa, ano, fuel, oil and lubricant expenses. Magkano ang nakalaan na budget dito? Ayon sa note financial statement ng December 2022 ng OVP, ang fuel, oil and lubricant expenses ay tumaas dahil sa pagdami ng motor vehicles sa operation ng OVP. Madam Villarey...Villadelrey, tama po?

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MS. VILLADELREY. Tama po, Your Honor.

REP. VALERIANO. Alam ninyo po kung ilan ang mga motor vehicles ng OVP noong 2022?

MS. VILLADELREY. I don't have my number, Your Honor, with me today.

REP. VALERIANO. Wala. Ito pong 2023, alam ninyo po kung ilan?

MS. VILLADELREY. Same, Your Honor, wala po akong hawak.

REP. VALERIANO. The same, wala. So, ano po ang naging basis ng OVP sa paghingi nila ng budget na ito?

MS. VILLADELREY. Your Honor, in 2023, there are procurements po of transportation equipment.

REP. VALERIANO. Again, again, Ma'am.

MS. VILLADELREY. There are procurement po of transportation equipment, motor vehicles, Your Honor.

REP. VALERIANO. Kotse.

MS. VILLADELREY. I cannot recall, Your Honor, the specifics of the procurement.

REP. VALERIANO. Pero ano ito, ha, 500 percent halos, Ma'am, ang increase, ha. Meron pa bang ibang items na nakapaloob doon sa supplies and material expenses maliban doon sa na-itemize ko po?

MS. VILLADELREY. Your Honor, under Supplies and Material Expenses, as mentioned po, office supplies expenses; welfare goods expenses; drugs and medicine expenses; medical, dental, and laboratory supplies expenses; fuel, oil, and lubricant expenses; semi-expendable machinery equipment expenses; and semi-expendable furniture, fixtures and books expenses; and other supplies and materials expenses, Your Honor.

REP. VALERIANO. Then, Ma'am, sino po ulit ang nagre-request ng budget for…sino ang nag-request ng budget for year 2023, si VP Duterte po, tama?

MS. VILLADELREY. Under the administration po of VP Sara.

REP. VALERIANO. Sino ang nag-a-approve ng budget for year 2022? Si VP Duterte ulit, di po ba? Final say.

MS. VILLADELREY. I cannot recall po who is the signatory of the final proposal.

REP. VALERIANO. Pero, Ma'am, siya ang nag-a-approve ng budget so siya rin iyon. Clearly, hindi naman po historical data ang naging basehan ng OVP upang ma-

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justify iyong 272 million 230 thousand or almost 500 percent. To be exact, Ma'am, 494 percent increase in budget allocation for 2023. Kasi kung historical data ang magiging basehan, sobrang laki ng difference between the amount actually spent by the OVP in supplies and material expenses in 2022 from the amount allocated po ng OVP to the same line item in 2023. Ano kaya iyong dahilan, Ma'am, bakit ganoon kalaki iyong allocation ng 2023? Meron kayong idea?

MS. VILLADELREY. Your Honor, based on the new projects of the Vice President as well as po the creation of satellite offices.

REP. VALERIANO. Because of the new projects...

MS. VILLADELREY. New projects to be implemented under the administration of VP Duterte as well as the creation of the 10 satellite offices, Mr. Chair.

REP. VALERIANO. Mga satellite offices.

MS. VILLADELREY. Tama po.

REP. VALERIANO. Okay, Ma'am. Ano pong mga materials o gamit ang binili ninyo for the year 2023? Under what category ninyo binili iyon?

MS. VILLADELREY. Your Honor, under supplies and materials, Your Honor.

REP. VALERIANO. Yes. Kasi if you have to compare iyong expenses ninyo noong 2022, iyong welfare goods expenses is the highest. Can we say na under this category din po ang majority ng mga ginastos ninyo nandoon sa welfare goods expenses, tama, Ma'am?

MS. VILLADELREY. Again, Your Honor.

REP. VALERIANO. Iyong halos majority ng ginastos ninyo nandoon sa welfare goods expenses.

MS. VILLADELREY. Tama po, Your Honor.

REP. VALERIANO. Ano naman iyong mga materyales o gamit na binili sa dating budget for year 2022 na hindi nagamit noong...na hindi na magamit noong 2023? I mean, Ma'am, meron bang natira noong 2022?

MS. VILLADELREY. For the budget, Your Honor?

REP. VALERIANO. Yes.

MS. VILLADELREY. Remaining budget of 2022, ang naging ano po...continuing appropriation to be added sa 2023 GAA.

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REP. VALERIANO. I mean, Ma'am, wala bang natira – iyong mga medicine – medical, dental and laboratory supply expenses, 2022 going to 2023? Siguro naman kahit kaunti, Ma'am, merong mga ginastos na make-carry over from 2022 to 2023. Tama po?

MS. VILLADELREY. Most of the 2022, Your Honor, medical, dental, and laboratory supplies are utilized for COVID operation under VP.

REP. VALERIANO. So, walang...again, ulit, Ma'am.

MS. VILLADELREY. Most of the medical, dental, and laboratory supply expenses disbursed in 2022 are utilized for COVID operation, Your Honor.

REP. VALERIANO. So, walang carryover? Wala pong napunta ng 2023, ubos?

MS. VILLADELREY. Hindi po ako sure, Your Honor, pero wala na rin po kaming...nag-stop na rin ang COVID operation noong...at the time of the new administration, Your Honor.

REP. VALERIANO. Sige po. Nasabi ninyo kanina, Ma'am, kaya 494 percent iyong increase, kasi sa project na bago. So, substantially different ba iyong mga initiative and programa ninyo sa OVP noong 2023 kaysa sa 2022 na kinailangan ninyong bumili ng bagong materyales...

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REP. VALERIANO. (Continuing)...bumili ng bagong materyales, kasi bigla pong nag-jump ng 494 percent iyong budget eh. Gaano ba kaganda iyang programa na iyan, Ma'am?

MS. VILLADELREY. Sir, since 2022 po is pandemic pa so wala pang movement, wala pang masyadong mga projects na puwedeng i-implement. That is why po noong pumasok ang new administration nag-end na ng pandemic there are new projects na prinopos (*propose*) under the new administration.

REP. VALERIANO. Ma'am, noong 2020...ang pandemic po hanggang 2022, tama?

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. Noong 2019 po ba wala pang pandemic? Malaki rin ang budget ng OVP noon?

MS. VILLADELREY. Wala pa po... ah, wala po akong comparison noong 2019... (*Interrupted*)

REP. VALERIANO. Pero sa experience ninyo po, Ma'am, ito bang 2023 is the highest budget compared to the previous annual budget?

MS. VILLADELREY. Based on record, Sir, yes po.

REP. VALERIANO. Yes. So iyong 2019 walang pandemic, 2020 may pandemic. So ang common denominator of these expenses is their attribution to the COVID 19 pandemic which as we know by now has already been largely kept at bay. Practically wala na pong COVID 19 pandemic ngayon, hindi po ba? Wala na.

MS. VILLADELREY. Tama po.

REP. VALERIANO. Required pa ba tayong mag-mask strictly, social distancing in person naman, wala na po ano?

MS. VILLADELREY. Voluntary, Your Honor.

REP. VALERIANO. Yes, iyon iyong sinasabi kanina through Proclamation 297 issued last June 21 the President has lifted the state of public health emergency due to COVID 19. Tama po ano?

MS. VILLADELREY. Tama po.

REP. VALERIANO. So kasi po nagugulat lang kami sa 494 increase sa budget, almost five times more the allocation for this line item when in the first place the actual expenditure of the OVP for the supplies and material expenses in 2022 was actually very low in comparison. May naisip ka ba, Ma'am, na dahilan kung bakit may malaking pagkakaiba sa expenditure ng 2022 to 2023 because of the project again?

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MS. VILLADELREY. Yes, Your Honor, and the 10 satellite offices.

REP. VALERIANO. And the satellite offices. So, from 53 million to 272 million times five. Ma'am, what are the different materials that year 2023 needed to procure from the materials procured from by that year 2022 budget? Was there a significant price difference between then and now?

MS. VILLADELREY. Sir, Your Honor, may I refer your question to our Director for Admin and Finance?

REP. VALERIANO. Mr. Chair.

THE CHAIRPERSON. Attorney Sanchez.

MS. SANCHEZ. Thank you, Mr. Chair.

THE CHAIRPERSON. You are recognized.

MS. SANCHEZ. Thank you, Mr. Chair.

Your Honor, as mentioned by our Chief Accountant, there were new projects of the OVP in 2023 namely the PagbaBAGo Campaign: A Million Learners and Trees Program. For the PagbaBAGo Campaign, Your Honor...

REP. VALERIANO. Slowly, Ma'am, ano iyong bagong project po?

MS. SANCHEZ. PagbaBAGo Campaign, Your Honor.

REP. VALERIANO. PagbaBAGo ...?

MS. SANCHEZ. Campaign, A Million Learners and Trees Program, Your Honor.

REP. VALERIANO. A Million...?

MS. SANCHEZ. Learners and Trees.

REP. VALERIANO. And it cost hundred fifty million?

MS. SANCHEZ. For the PagbaBAGo Campaign, Your Honor, around ... around 90 million... I'll just confirm, Your Honor, for the exact amount.

REP. VALERIANO. Ma'am, ano itong PagbaBAGo Campaign? Ano po ito?

MS. SANCHEZ. Sir, for the PagbaBAGo Campaign, we... the OVP has a target of giving school bags with school supplies and dental kits to school children at least...the target is 1 million school children for the entire term of the Vice President Sara Duterte, Your Honor.

REP. VALERIANO. Ma'am, we're talking of 2023 budget lang.

MS. SANCHEZ. Yes. So for 2023, Your Honor, the target was set at 200,000, Your Honor, 200,000 beneficiaries, Your Honor.

REP. VALERIANO. Two hundred thousand bags in short.

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MS. SANCHEZ. Yes, Your Honor.

REP. VALERIANO. And iyong Million... ano 'yon million learners?

MS. SANCHEZ. Iyon po 'yong component nung program, A Million Learners Program po iyong target. And then may counterpart po siya that is the A Million Trees Campaign. But for the A Million Trees Campaign very minimal expenses lang because it only entails tree planting po and the target is a million trees as well. So 200,000...

REP. VALERIANO. So iyong dalawang project po iyon tama bang parang it's worth 220 million per year almost?

MS. SANCHEZ. Your Honor, it is just one of the new programs of the OVP.

REP. VALERIANO. So marami pang projects?

MS. SANCHEZ. Yes, Your Honor.

REP. VALERIANO. Mr. Chair, this increase in Supplies and Materials Expenses is extremely alarming. An increase of almost 494 percent or a budget of 45 million 821 thousand in 2022 to 272 million, 213 million in 2023 nang ipinakita ang breakdown ng 272 million 230 para lamang sa supply and materials.

Kaya naman, Mr. Chair, I move that the COA furnish us a copy of the said audited financial statement of 2023 relating to the OVP. So I move, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

REP. BONGALON. Second.

THE CHAIRPERSON. Duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. VALERIANO. Kay Miss Villadelrey po ulit. Tayo po naman ay pumunta sa budget na nakalaan for Professional Services. Ayon sa GAA for 2022, ang budget na nakalaan po for Professional Services ay nasa halagang 41 million 777 thousand for the year 2022. Ma'am, para saan po itong Professional Services na ito?

MS. VILLADELREY. Your Honor, Professional Services comprised of auditing services, consultancy services and other professional services, Your Honor.

REP. VALERIANO. Okay. So, sinu-sino, Ma'am, iyong mga auditor iyon? Hindi po ba mayron ng COA ang auditor ng... di ba COA ang auditor ng OVP, mayron pa po bang internal?

MS. VILLADELREY. Yes, Your Honor. COA resident auditor.

REP. VALERIANO. Regarding, Ma'am, sa consultant, sinu-sino naman po iyon? Mayron kayong ano mga consultants din?

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MS. VILLADELREY. Yes, Your Honor, they are the consultants under the new administration, Your Honor.

REP. VALERIANO. So iyon po 'yong sa 41 million? Ma'am, sinu-sino iyong mga dating auditor at consultant ng year 2022? Mayroon po kayong listahan pa diyan?

MS. VILLADELREY. For the resident auditor, Your Honor, as detailed by COA is Sir Joshua Palidig and I think ... Joshua Palidig for 2022.

REP. VALERIANO. Okay. So gaano kadalas nag-o-audit at nagha-hire ng consultant ang OVP, Ma'am? Ilang beses? Same number din ba sa...as of year 2022 saka 2023? Gaano kadalas po silang pumupunta roon?

MS. VILLADELREY. For auditing services, Sir, they are resident in the OVP. They have office in the OVP. So for the auditing services, these are the expenses incurred by the auditing services like communication, fuel; naka-lump po ito under one account, auditing services.

REP. VALERIANO. ComSec, mayron yata akong...mayron pang slide diyan regarding Professional Services, paki-pakita lang po sa ano monitor. Ayan po. For the benefit of this Committee, Ma'am, would you kindly enlighten us to what these expenses were for. We would like to know po ano itong other Professional Services. Madam Villadelrey.

MS. VILLADELREY. Your Honor, for a total of 56 million 140 thousand 892 point 26 this is pertaining to 2022 expenses...

(MS. MARIA LEONOR M. FALZADO TOOK OVER)

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MS. VILLADELREY. (Continuing)...this is pertaining to 2022 expenses of the Office of the Vice President for professional services. For the 74 million 990, Your Honor, it is not the amount indicated in our audit report.

REP. VALERIANO. Magkano po iyong sa audit report?

MS. VILLADELREY. For 2023, Your Honor, total professional services—62 million 698 thousand 445...

REP. VALERIANO. Six hundred... Six hundred?

MS. VILLADELREY. ...62 million 698 thousand 445.41.

REP. VALERIANO. Sige, Ma'am.

Ano po iyung ibig sabihin nung "other professional services"? Ano po iyung "other professional services"? Meron na kayong auditing services, consultancy services. Ano iyung "other professional services"?

MS. VILLADELREY. "Other professional services", Your Honor, includes the payment of services... service fees, premium and gratuity pay to contract of service personnel. It also includes the payment of the service personnel of the Libreng Sakay buses.

REP. VALERIANO. Personnel of the Libreng Sakay buses?

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. Ano po ito, driver ng bus?

MS. VILLADELREY. Driver and konduktor, Your Honor.

REP. VALERIANO. So, 44 million 689 point... 44 million 689 thousand 743 thousand... 743.30 for 2022?

MS. VILLADELREY. Tama po, Your Honor.

REP. VALERIANO. Okay.

Do you agree with me, Ma'am, that term "other professional expenses" is necessarily vague? Kasi tinanong ko pa nga, eh. Professional expenses, Ma'am, "other professional services". Ma'am, ano ang pagkakaiba ng "auditing services" and "consultancy services"?

MS. VILLADELREY. "Auditing services", Sir, pertaining to our Resident Auditor from COA and "consultancy services" are the consultants under the Office of the Vice President...

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REP. VALERIANO. Aud...

MS. VILLADELREY. ...technical consultant, Sir.

REP. VALERIANO. Again, auditing services pertaining to?

MS. VILLADELREY. Pertaining to COA Resident Auditor detailed in the Office of the Vice President, and "consultancy services" pertaining to technical consultants hired in the Office of the Vice President.

REP. VALERIANO. So iyon po iyong consultancy services hired by the Vice President—11 million 312 thousand 866.89, tama po?

MS. VILLADELREY. Tama po for 2022, Your Honor.

REP. VALERIANO. For 2023, tama po rin iyong amount na iyon, 23 million plus?

MS. VILLADELREY. For 2023, Your Honor, auditing services—216,368 thousand... ah, 216 thousand 368, and for consultancy services, a total of 3,000... 3 million 447 thousand 502 pesos and 19 centavos, Your Honor.

REP. VALERIANO. Mr. Chair, I would like to manifest that it appears here that the OVP engaged other professional services which contains the biggest expenditure out of the line item under professional services for 2022 amounting to 44 million 689 thousand 743.30. Nakakapagtaka, Mr. Chair, kung saan pinaggastusan ang professional services maliban sa auditing services and consultancy services.

Ayon din po sa notes to financial statement, the total expenditure for professional services for the year 2022 was in the amount of 56 million 140 thousand 892 pesos and 96 centavos which is higher than the allotted budget for the same year. Ibig sabihin, lagpas ang OVP sa budget. Tama po, Ms. Villadelrey?

MS. VILLADELREY. Your Honor, hindi ko po siya ma-compare since wala ako nung ibang figures.

REP. VALERIANO. Okay. Paano ninyo pala hinahanda itong budget? Base ba sa historical data 'to?

MS. VILLADELREY. May I refer your question, Sir, to our Budget Officer?

REP. VALERIANO. Mr. Chair.

THE CHAIRPERSON. Mr. Kelvin, you are recognized.

MR. TEÑIDO. Thank you, Mr. Chair.

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Mr. Chair, with regard to the preparation of budget, one of the considerations is the historical cost of the OVP.

REP. VALERIANO. Historical data.

MR. TEÑIDO. And then second is if we have required additional COS fees or to expand iyong manpower pool…

REP. VALERIANO. Sige po…

MR. TEÑIDO. …ng OVP.

REP. VALERIANO. …iyon lang muna. Ano ang ibig sabihin ng "historical data"? So, bale iyan iyong para sa year 2022.

MR. TEÑIDO. For year 2022, Sir, we usually refer back to the previous year. But, in this case, nagkakaroon po kami ng additional considerations since new administration po iyong gagalaw for 2023 compare doon sa actual noong 2021.

REP. VALERIANO. Since bago iyong administration, may bagong consideration?

MR. TEÑIDO. Bagong consideration depende po sa requirement na manpower ng mga satellite offices and the Central Office.

REP. VALERIANO. Sige po.

Ayon sa GAA for 2023, ang budget na nakalaan sa professional services ay nasa halaga ng 193 million 950 thousand which is at 365 percent increase from the budget… budget allocated to professional services in 2022. Halos four times na increase po ito. Bakit po tumaas ng sobra ang budget for professional services in 2023?

Ms. Villadelrey, please give us an explanation po dito, 365 percent ang itinaas.

MS. VILLADELREY. Your Honor, our budget for 2023 is based on… as mentioned by Sir Kelvin Teñido, is based on the requirements…

REP. VALERIANO. Of the Vice President.

MS. VILLADELREY. …of the Vice President with the implementation of new projects and creation of 10 satellite offices.

REP. VALERIANO. Ma'am, what is the difference between year 2022 and year '23… 2023 with respect to the need for professional services? Bakit kinakailangan pong 365 percent iyong increase ng budget? Malaki ba iyong pangangailangan ng 2023?

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MS. VILLADELREY. Yes, Your Honor. With the creation of 10 satellite offices and the limited plantilla positions available in the Office of the Vice President, we have to hire personnel under contract of service.

REP. VALERIANO. So, does it mean, Ma'am, noong July 1, 2022 to December 2022, hindi nakapag-function ng maayos ang Vice President? Kasi maliit lang po noon iyong professional services.

MS. VILLADELREY. I'm sorry, Your Honor. Hindi ko po kayang sagutin. Wala akong mga available figures for comparison, Your Honor.

REP. VALERIANO. Ah, 56 million 140 thousand 892.96 po ang COA report noong 2022 while in GAA 2023, 193 million 950 thousand, which is 364 percent. So, I mean, noong July 1, po, 2022 bagong administration na iyon.

Anyway, Ma'am, what projects did the OVP have done are supposedly different from what the previous OVP had?

MS. VILLADELREY. Almost all of the pro... Almost projects of the... under the new adminis... under the new administration is new, Your Honor. Because under previous administration, the focus of projects is COVID operations.

REP. VALERIANO. Noong 2022, COVID operation.

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. So noong 2023, maraming project kaya 365 percent increase in professional services or will cost around three times more than what was actually spent in 2022...

(MS. EMMA RUTH E. GAÑALON TOOK OVER)

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REP. VALERIANO. (Continuing)...in 2022. Tama ba, Ma'am?

MS. VILLADELREY. Tama po.

REP. VALERIANO. Bakit marami po kayong hina-hire na consultants noon, noong 2023?

MS. VILLADELREY. 2023, Sir, is few consultants only, more on contract of service personnel, Your Honor.

REP. VALERIANO. Again.

MS. VILLADELREY. For consultants...for consultancy, Your Honor, only few consultants were hired. Most charges under the professional services are from personnel under contract of service.

REP. VALERIANO. Contract of service. Tapos, bakit po kayo nag-hire ng auditor kung mayroon namang COA? Anong...ano pa ang ino-audit po roon?

MS. VILLADELREY. No, Sir. Hindi po kami nag-hire ng auditor. Ang auditing services po na nandidito is for the expenses incurred ng COA resident auditor sa OVP.

REP. VALERIANO. Ah, okay, okay. Mr. Chair, habang umuusad ang ating discussion tungkol sa pagwaldas ng OVP ng pera ng taong-bayan, dumarami ang mga katanungan at ni isang sagot o paliwanag ay hindi natin nakukuha. Kagaya nito, gumastos ng mahigit 44 million ang OVP sa Other Professional Services na hindi man lang pinangalanan ng OVP. As far as I am concerned and I believe the Filipino people agree is that aside from auditing and consultancy services, there is no other professional services needed by the OVP. If indeed such professional services were not tainted with fraud or malice, then the OVP should have at least provided an item describing such. Mr. Chair, nakakaduda ito. Hindi lamang barya iyong 44 million na pinagpaguran ng taong-bayan para lang gastahin nang basta-basta ng OVP.

Ma'am, dito naman po tayo sa susunod na line item, Financial Assistance. Sa 2022 GAA, ang nakalaan na budget para dito ay halagang 357 million 600 thousand. Tama po?

MS. VILLADELREY. Your Honor, under the Assistance/Subsidy account...

REP. VALERIANO. GAA 20...Financial Assistance/Subsidy, opo, GAA 2022, 357 million 600 thousand.

MS. VILLADELREY. For 2022, Your Honor, our records is 378 million 820 thousand 757 pesos and 65 centavos, Your Honor.

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REP. VALERIANO. Iyan po iyong na-consume.

MS. VILLADELREY. Yes po, Your Honor.

REP. VALERIANO. Pero iyong nasa GAA 2022, 357 million 600 thousand.

MS. VILLADELREY. Tama po, Your Honor.

REP. VALERIANO. So, ComSec, paki-ano iyong slide para makita rin po ni Ms. Villadelrey. Ayon sa Note to Financial Statement for 2022, iyong Assistance/Subsidy amounted to 378 million 820.65 for the year 2022. The Assistance/Subsidy was broken down, as follows—ayan, Ma'am.

On the other hand, under Note 18.18 of the Notes to Financial Statement, Subsidies-Others consisted of the following. ComSec, pakiano. Mayroong...ayan. Medical/Burial Assistance—ayan, Ma'am. Tuloy-tuloy na iyan.

Mr. Chair, once again, an examination of the figures clearly indicates that the OVP exceeded its budget allocation for 2022 on the item of Assistance/Subsidy. While OVP extended assistance and provided subsidies in the form of financial, medical, burial, educational and livelihood assistance, it cannot go unnoticed that the OVP must be limited to the budget allocated for this specific purpose. The sole discretion on the part of the OVP cannot be misconstrued to be an act of liberality or generosity, as it cannot decide whimsically on how to spend the people's money, especially considering that it is beyond what is allocated.

Again, it appears that the OVP exceeded its budget allocation for year 2022. Tama po ba, Ma'am?

MS. SANCHEZ. Mr. Chair, may I be recog...

REP. VALERIANO. Three hundred seven...357 million 600 iyong nasa GAA, ang nagamit 378 million 820 thousand 757.

THE CHAIRPERSON. What is the pleasure of Atty. Sanchez?

MS. SANCHEZ. Mr. Chair, may I be recognized to respond to the question, Your Honor.

REP. VALERIANO. Sige po.

THE CHAIRPERSON. O, sige. You are recognized.

MS. SANCHEZ. Yes. Thank you, Mr. Chair.

Mr. Chair, for 2022, we received a supplemental budget from the DBM, covering financial assistance and subsidy, Your Honor. In addition, Mr. Chair, under the GAA, the

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government agency has the authority to modify certain amount of...up to a certain extent its budget, provided that we stay within the PAP of the account, Your Honor.

MS. VILLADELREY. Hindi, Ma'am. Wala naman pong problem doon. Ang sinasabi ko lang po, noong GAA 2022, ang original budget is 357 million 600 thousand; ang na-consume is 378. May supplemental pero kinulang talaga iyong 357. Tama po?

MS. SANCHEZ. Yes, Your Honor.

REP. VALERIANO. Ano ulit iyong proseso sa paghahanda ng budget allocations, Ma'am? Si Ms. Villadelrey ulit. Ma'am, ano ang proseso sa paghahanda ng budget allocation?

THE CHAIRPERSON. Ms. Villadelrey

MS. VILLADELREY. Your Honor, based on historical data.

REP. VALERIANO. Based on historical data. Sino-sino iyong mga taong involved sa decision-making o sa approval? Si VP...

MS. VILLADELREY. Your Honor?

REP. VALERIANO. Sino-sino pa iyong mga taong involved sa decision-making o sa pag-a-approve ng budget?

MS. VILLADELREY. For the project proposal, Your Honor, it is...

REP. VALERIANO. It's the Vice President.

MS. VILLADELREY. Not only the Vice President, we have the budget officer, we have the planning officer and with the Director for APSO and also the top management, Your Honor.

REP. VALERIANO. For the year 2023, the budget allocated to financial Assistance/Subsidy ay tumaas sa halagang 920 million 800 thousand. This is almost 157 percent increase o halos two times na increase po ito. Tama, Ma'am? Tama po?

MS. VILLADELREY. More or less, Your Honor.

REP. VALERIANO. Again, Ma'am, kindly give us an explanation as to why the amount allocated for this line item in 2023 differ substantially from the amount allocated to and actually spent by the OVP in 2022. Masyadong malaki.

MS. VILLADELREY. Yes, Your Honor. Because of the creation of the new satellite offices.

REP. VALERIANO. Again.

MS. VILLADELREY. Yes, Sir. And the implementation of...

REP. VALERIANO. Of the project.

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MS. VILLADELREY. ...medical and burial assistance, also to be implemented in satellite offices, not only in Central Office; and also other projects under the Subsidy Account, Your Honor.

REP. VALERIANO. So, that is the reason kung bakit substantial increase iyong budget from 2022 to 2023. Tama po?

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. Okay. Dito naman tayo sa representation expenses, Ma'am.

Under the GAA 2022, the OVP was allocated an amount of 29 million 752 thousand in representation expenses. Ayon sa Note 18.19 of the Notes to Financial Statement, this representation expenses refer to expenditures for the representation expenses of the Vice Present, including regular and special meetings, including local security augmentation during travel of the Vice President in the provinces. Tama? Tama, Ma'am?

MS. VILLADELREY. Tama po, Your Honor.

REP. VALERIANO. Mr. Chair, I understand that the representation expenses...

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REP. VALERIANO. (Continuing)...the representation expenses are incurred when the Vice President attends regular and special meetings, including the security details she needs while she travels. It seems that as if the OVP, through the item of representation expense, is charging a talent fee in every meeting she attends. This is akin to a talent fee paid to a celebrity for every public appearance or guesting in TV show. This is absurd, Mr. Chair, again, public office is public trust. Holding a seat in government, the second most powerful in the country to be exact, is not a golden ticket to spend mindlessly.

For 2022, ayon ulit sa Note to Financial Statement, it appears that representation expenses of the OVP amounted to 16 million 757 thousand 436.88 noticeably below the budget allocated for this item for 2022. Tama, Ma'am? Ibig po bang sabihin hindi nagastos lahat ng budget allocated for representation expenses?

MS. VILLADELREY. Yes, Your Honor.

REP. VALERIANO. Mayroon pong 12 million 994 thousand 563.12 na hindi ginastos ng OVP for representation expenses noong 2022. Tama, Ma'am, 12 million, 994 thousand, 563.12?

MS. VILLADELREY. Tama po, Your Honor.

REP. VALERIANO. Nevertheless, despite the fact that OVP did not spend what it anticipated to spend in 2022, sa GAA 2023 ang nakalaan na budget for representation expenses became 79 million 310, or an increase of approximately 168 percent from last year's budget. Ano po iyong basehan ninyo rito? May natira ngang representation expenses ng 2022, and yet sa 2023 mas malaki iyong request ninyo, 168 percent compared to 2022.

MS. VILLADELREY. Yes, Your Honor. The significant increase is based on the expansion of the office with the 10 satellite offices and 2 extension offices in addition to the Central Office, Your Honor, for the representation expenses of the Vice President.

REP. VALERIANO. Pero, Ma'am, noong 2022, natirhan kayo ng budget sa representation expenses, siya na rin po ang Vice President noong kalahating taon.

MS. VILLADELREY. Yes, Your Honor, it was added to the 2023 GAA as continuing appropriation.

REP. VALERIANO. Sige. Siguro, Mr. Chair, tuloy ko na lang for second round, medyo mahaba na iyong tanong ko.

Thank you, Mr. Chair. Thank you, Madam.

THE CHAIRPERSON. Thank you, Congressman Valeriano.

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The next interpellator is Congresswoman Jinky Luistro. Ma'am, but before I recognize you, Ma'am, may tatanong lang ako, few lang.

Ma'am Juliet, I do not know if my question should be answered by Ms. Julieta or Atty. Sanchez. Ma'am, ilan po ba iyong satellite office ninyo, would you know?

MS. SANCHEZ. Yes, Mr. Chair. Mr. Chair, we have 10 satellite offices…

THE CHAIRPERSON. Ten?

MS. SANCHEZ. …and one extension office as of today, Your Honor.

THE CHAIRPERSON. Ten satellite offices?

MS. SANCHEZ. Yes, Mr. Chair.

THE CHAIRPERSON. So, would you know kung saan po iyong mga satellite offices ninyo?

MS. SANCHEZ. Yes, Mr. Chair. For Luzon, we have one in Isabela, that's our Cagayan Valley Satellite Office.

THE CHAIRPERSON. Isabela.

MS. SANCHEZ. Yes.

THE CHAIRPERSON. And then?

MS. SANCHEZ. We also have in Pangasinan, in Dagupan, Your Honor.

THE CHAIRPERSON. Pangasinan.

MS. SANCHEZ. We also have in Region V, in Bicol, Your Honor, in Legazpi City.

THE CHAIRPERSON. Ano po? Bicol.

MS. SANCHEZ. Bicol, Your Honor, in Legazpi City, Your Honor.

THE CHAIRPERSON. So, tatlo po sa Luzon?

MS. SANCHEZ. Yes, Your Honor.

THE CHAIRPERSON. And then?

MS. SANCHEZ. And then for Visayas, we have one in Cebu City, and that covers Cebu, Bohol, and Siquijor area.

THE CHAIRPERSON. Cebu?

MS. SANCHEZ. Cebu, Bohol, and Siquijor, but the office is located in Cebu City.

THE CHAIRPERSON. Cebu.

MS. SANCHEZ. Yes, and we also have one for Panay and Negros Islands, and that is located in Bacolod City.

THE CHAIRPERSON. Panay, Negros, and then?

MS. SANCHEZ. Located in Bacolod City.

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THE CHAIRPERSON. Bacolod.

MS. SANCHEZ. Yes, and we also have for Eastern Visayas located in Tacloban City, Your Honor.

THE CHAIRPERSON. In?

MS. SANCHEZ. Tacloban.

THE CHAIRPERSON. In Tacloban. And then, in Mindanao?

MS. SANCHEZ. In Mindanao, Your Honor, we have four satellite offices. For Southern Mindanao Satellite Office, it's located in Davao City.

THE CHAIRPERSON. Davao.

MS. SANCHEZ. For Caraga, it's located in Butuan.

THE CHAIRPERSON. Butuan.

MS. SANCHEZ. And for Western Mindanao Satellite Office, it's located in Zamboanga City.

THE CHAIRPERSON. Zamboanga.

MS. SANCHEZ. And the last one is for BARMM, it's located in Cotabato City.

THE CHAIRPERSON. Cotabato, okay.

MS. SANCHEZ. And in addition, Your Honor, we have an extension office in Tondo, Manila.

THE CHAIRPERSON. Tondo, Manila.

MS. SANCHEZ. Yes, Your Honor.

THE CHAIRPERSON. So, all in all, 11?

MS. SANCHEZ. Ten satellite offices and one extension office. Your Honor, there was also a period of time wherein we operated an extension office in Lipa, Batangas.

THE CHAIRPERSON. Lipa, Batangas?

MS. SANCHEZ. Yes.

THE CHAIRPERSON. Okay. So, never na nangyari po na ang inyong satellite office ay naging 34?

MS. SANCHEZ. No, Your Honor.

THE CHAIRPERSON. Okay, sige. Thank you po.

MS. SANCHEZ. Thank you, Mr. Chair.

REP. GERVILLE "JINKY BITRICS" R. LUISTRO. Mr. Chair.

REP. SUAREZ. Can I just interject?

THE CHAIRPERSON. Please. The ComSec would like to recognize...

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THE ACTING COMMITTEE SECRETARY. Good afternoon, Your Honors. Welcome to the hearing Vice Chairperson Honorable Crispin Diego "Ping" Remulla from the 7th District of Cavite, and Honorable Mikaela Angela B. Suansing from the 1st District of Nueva Ecija. Thank you, Your Honor.

THE CHAIRPERSON. Thank you.

With the indulgence of Congresswoman Luistro, the Chair would like to recognize Deputy Speaker Jayjay Suarez.

REP. SUAREZ. Yeah. Atty. Sanchez, good afternoon. Atty. Sanchez, earlier you were enumerating your satellite offices and special satellite office, is that correct?

MS. SANCHEZ. Mr. Chair, extension office, Your Honor.

REP. SUAREZ. Extension office, yeah. So, anong pinakaiba noong special...is that, is that...?

MS. SANCHEZ. Extension office, Your Honor.

REP. SUAREZ. Yeah.

MS. SANCHEZ. The satellite offices, Your Honors, Mr. Chair, perform or rolls out all the projects of the central office, Your Honor. So, all the projects that includes the Medical and Burial Assistance Program, the PagbaBAGo: A Million Learners and Trees Campaign, the Pansarap, Your Honor, Libreng Sakay for the three satellite offices, Your Honor, because we only have a limited buses.

REP. SUAREZ. Yeah. Thank you, Ma'am. Thank you, I just wanted to get an idea. And then, you mentioned you have one in Tondo, what is that?

MS. SANCHEZ. Yes. That's an extension office, Your Honor. The function is limited to receiving applications for medical and burial assistance, Your Honor.

REP. SUAREZ. And I'm sure that all these satellite offices, given the funds that have been allocated to the Office of the Vice President are properly manned, operated, maintained?

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. Complete with staff and security guards?

MS. SANCHEZ. Your Honor, the security guards, we just started in 2023, Your Honor. But...we only started assigning security guards in 2023, Your Honor, but yes, Your Honor, you are correct.

REP. SUAREZ. So, up to present, nandoon pa iyon?

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. Okay. Pati iyong mga satellite offices ninyo sa Tondo ganoon?

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MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. Are you aware of an incident that happened in August 8, 2024?

MS. SANCHEZ. Your Honor, are you referring to the incident in Tondo, Manila, Your Honor, where…?

REP. SUAREZ. Yes.

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. Yeah. Can you enlighten the Committee as to the incident that happened in August 8, 2024?

MS. SANCHEZ. Your Honor, based on my knowledge, there was a looting incident in Tondo, Manila, Your Honor.

REP. SUAREZ. There was a?

MS. SANCHEZ. Looting incident.

REP. SUAREZ. Incident done in…

MS. SANCHEZ. A robbery incident, Your Honor.

REP. SUAREZ. Na nilooban iyong office ninyo, 'di ba?

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. Na kanina sinabi mo lang sa akin properly manned, properly maintained, properly operated…

(MS. MA. LUISA M. RAMIREZ TOOK OVER)

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REP. SUAREZ. (Continuing)...operated, and since 2023, may security guard, tama?

MS. SANCHEZ. Your Honor, I stand corrected, Your Honor. For the Tondo Satellite Office, initially, we did not assign a security guard because, as I mentioned, the...

REP. SUAREZ. No, but you...

MS. SANCHEZ. ...operations of the Satellite...

REP. SUAREZ. ...Earlier I asked you...

MS. SANCHEZ. ...of the extension office...

REP. SUAREZ. ...earlier I asked you and you confirmed. Now, when I asked you about this incident in Tondo, you cannot be adjusting your answers and...and, you know...

MS. SANCHEZ. I apologize, Your Honor.

REP. SUAREZ. But in any case, so, about this looting incident, what was... what was lost in that incident of burglary in Tondo?

MS. SANCHEZ. From my knowledge, Your Honor, the report that I received is that there were just food items which were lost. Initially, their... the CCTV was stolen, but as far as I recall... as far as I know, Your Honor, it was already recovered.

REP. SUAREZ. So, iyon iyong isang pinagtataka ko, Mr. Chair, kasi nabanggit po ni Attorney Sanchez, 'no, na maintained, operated, well-funded iyong kanilang mga opisina, extension offices. In fact, one time, the issue of security personnel deployed to the Office of the Vice President was an issue. And then you also mentioned that security guards were also deployed in your offices and yet, you know, we have incidents of this na isang alam na tanggapan ng pangawalang pinakamataas na opisyal sa ating bansa ay nalooban at napagnakawan pa.

So, I just wanted to stress that point, Mr. Chair, so that we can be... we can take due notice of that incident. Thank you very much.

THE CHAIRPERSON. Thank you, Deputy Speaker Jay-Jay Suarez.

The Chair would like to rec... The Chair would like to recognize Congresswoman Luistro.

REP. LUISTRO. Thank you, Mr. Chair.

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Mr. Chair, I wish to raise my questions to Ms. Villadelrey.

Ma'am, you confirm that you are the Chief Accountant of OVP.

MS. VILLADELREY. Yes, Your Honor.

REP. LUISTRO. May we know how long have you been working at the Office of the Vice President?

MS. VILLADELREY. I was started in the OVP since 1990, Your Honor. I'm already in my 34th year.

REP. LUISTRO. Nineteen...

MS. VILLADELREY. Ninety.

REP. LUISTRO. ...ninety.

MS. VILLADELREY. Yes, Your Honor.

REP. LUISTRO. Can you please share with us who was the Vice President then?

MS. VILLADELREY. It was still Vice President Doy Laure, Your Honor.

REP. LUISTRO. Doy Laurel.

MS. VILLADELREY. Salvador Laurel.

REP. LUISTRO. My question for you, Ms. Villadelrey, would it be correct to say that during the time of Vice President Duterte, there are two kinds of key officials? One are those who have been with the OVP for so long a time, like you. And the other kind are those who came along with the Vice President either from Davao City LGU or from her electoral campaign. Would that be correct?

MS. VILLADELREY. Tama po, Your Honor.

REP. LUISTRO. Kapag sinabi po ba natin na "key officials who have been with the OVP for so long a time", tama po bang tawagin ito na career officials?

MS. VILLADELREY. Tama po, Your Honor.

REP. LUISTRO. And with respect to those who came along with the Vice President, either from Davao City LGU or from her electoral campaign, are these what we call the coterminous or confidential officials?

MS. VILLADELREY. Tama po, Your Honor.

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REP. LUISTRO. Just for the enlightenment of the Committee, Ms. Villadelrey, can you please cite at least some names of the key officials of OVP who are career officials?

MS. VILLADELREY. From SG 24, division head, Your Honor, down the… down the rank-and-file, Your Honor. All other officials are coterminous or appointed officials.

REP. LUISTRO. You said SG 24 down to rank-and-file are career officials.

MS. VILLADELREY. Tama po, Your Honor.

REP. LUISTRO. So, would it be correct to say that if the officials are higher than SG 24, these are the confidential officials?

MS. VILLADELREY. Coterminous and confidential officials, Your Honor.

REP. LUISTRO. What is the difference—if there is any—between coterminous and confidential officials?

MS. VILLADELREY. For coterm… coterminous employees/officials, Your Honor, there are, as I understand din po ito, is within the term po of the current administration or the current Vice President.

REP. LUISTRO. And how about confidential officials, if there is any difference?

MS. VILLADELREY. Same coterminous, Your Honor.

REP. LUISTRO. So, there is no difference at all between coterminous and confidential officials? As a matter of fact, I have observed that these two terminologies are being used interchangeably. Do you confirm that Ms. Villadelrey?

MS. VILLADELREY. For me, Your Honor, yes po.

REP. LUISTRO. Okay. With respect to the confidential officials or coterminous officials, can you please name some or few officials who were brought into the OVP by Vice President Duterte?

MS. VILLADELREY. Based on the positions, Your Honor, we have the Chief-of-Staff, the Assistant Chief-of-Staff, the Director for Operations, the Director for SMO, Director for Admin and Finance, and all other coter… coterminous employees under the said officials.

REP. LUISTRO. Does that include the Special Disbursing Officer?

MS. VILLADELREY. Yes, Your Honor.

REP. LUISTRO. What salary grade is SDO?

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MS. VILLADELREY. For our SDO, for confidential is, if tama po iyong pagkakatanda ko, is SG 24.

REP. LUISTRO. SG 24. But earlier you said if it is SG 24 down to rank and file that is career officials. And if... if that is higher than SG 24, then that will be confidential officials. Can you please enlighten us on this?

MS. VILLADELREY. There are positions po na SG 24 but they are not division heads under career or under permanent plantilla positions, Your Honor, SG 24 under coterminous.

REP. LUISTRO. How many SG... How many SDO do you have?

MS. VILLADELREY. I cannot recall, Your Honor, but we have SDO for various activities. We have SDO for Confidential Fund.

REP. LUISTRO. And you confirm that the SDO for Confidential Fund is Gina Acosta?

MS. VILLADELREY. Yes, Your Honor.

REP. LUISTRO. And what salary grade is that?

MS. VILLADELREY. SG 24, Your Honor.

REP. LUISTRO. SG 24 career official.

MS. VILLADELREY. Non-career po.

REP. LUISTRO. Non-career official.

Ms. Villadelrey, I understand that in August 2022 the Office of the Vice President requested for Augmentation Fund, which includes Confidential Fund. Do you confirm this?

MS. VILLADELREY. Your Honor, may I refer your question to our Budget Officer?

REP. LUISTRO. Yes, please.

THE CHAIRPERSON. Mr. Kelvin, you are recognized.

MR. TEÑIDO. Thank you, Mr. Chair.

Mr. Chair, I confirm that there was a request to DBM for the augmentation of fund of OVP in August 20... in August FY 2022.

REP. LUISTRO. May we know, Sir, how... how long have you been connected to the OVP?

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MR. TEÑIDO. I have been with OVP since 2014, since Vice President... former Vice President Binay, Ma'am, Mr. Chair.

REP. LUISTRO. Vice President Binay. So, I believe that you are in the best position to answer whether during that time of Vice President Leni Robredo, mayroon din po bang confidential fund noong time ni Vice President Leni Robredo?

MR. TEÑIDO. There was no confidential fund during the term of Vice President Leni Robredo.

REP. LUISTRO. There was no confidential fund during the time of Vice President Leni Robredo. How about during the time of Vice President Jejomar Binay?

MR. TEÑIDO. I am... I am not a Budget Officer during that time, Ma'am, so I have no knowledge. But per records, I think earlier years of the term... of his term, mayroon pong confidential fund.

REP. LUISTRO. Would you be able to enlighten us how many times did... did Vice President Binay requested for confidential fund during his term?

MR. TEÑIDO. I cannot give definite answer, Ma'am, but upon checking the documents available in the office, there was a series of correspondences regarding confidential fund. However, there is also correspondences reflecting to... to return or to revert back the release of confidential fund.

REP. LUISTRO. The resources would say that Vice President Jejomar Binay had confidential fund only once...

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REP. LUISTRO. (Continuing)...only once. But, of course, this is subject to your verification.

MR. TEÑIDO. I will check, Madam...Ms. Chair...Mr. Chair.

REP. LUISTRO. I wish to go back to Ms. Villadelrey. But I would not mind, Kevin, if you will continue answering my questions. She is temporarily out.

Would it be correct to say, Sir, since there are no confidential funds during the time of Vice President Robredo, and Vice President Jejomar Binay only had once, would it be correct to say that the career officials of Vice President of the Office of the...OVP during the time of Vice President Sara are not used or inexperienced with respect to confidential fund?

MR. TEÑIDO. I would agree, Mr. Chair. However, we are always guided by certain circulars or guidelines.

REP. LUISTRO. And if you agree that the career officials are inexperience with respect to confidential fund, there being no confidential fund during the time of the former Vice Presidents, to be particular, Robredo and Binay, would it be correct to say that it is the confidential officials of Vice President Duterte who are experienced with respect to confidential funds.

MR. TEÑIDO. I have no information, Mr. Chair, with regard to the experience of the coterminous or confidential employees of the...this administration.

REP. LUISTRO. Do you know Usec. Zuleika Lopez?

MR. TEÑIDO. Yes, Mr. Chair.

REP. LUISTRO. Would you know where she came from before she assumed her position at the OVP?

MR. TEÑIDO. During that time, I think, she was...previously, she was the City Administrator of...

REP. LUISTRO. And would you know how long she was employed as City Administrator in Davao?

MR. TEÑIDO. No, Mr. Chair. I have no information.

REP. LUISTRO. But at least would you know how long was she connected with Davao City LGU prior to OVP stint?

MR. TEÑIDO. I cannot remember. But during the first...I think, payroll, of course, attachment of those documents are the service records. But I have no exact or number of years to tell the Committee of Atty. Zuleika Lopez as employee of the Davao LGU.

REP. LUISTRO. How about Ms. Gina Acosta, do you know her?

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MR. TEÑIDO. Yes, Mr. Chair.

REP. LUISTRO. Would you know where she came from?

MR. TEÑIDO. Same, from Davao LGU.

REP. LUISTRO. And would you know how long she was connected to Davao City LGU prior to her assumption of office at the OVP.

MR. TEÑIDO. No, Mr. Chair.

REP. LUISTRO. Mr. Chair, I just want to manifest that during the previous hearings, we were able to present already before the Committee the confidential funds of the City of Davao since 1988. And if my memory serves me right, during the time of then Mayor Sara Duterte, a confidential fund was 420 million, and then it was raised to 460 million until she finished her term as Mayor of Davao City. Having this in mind, Sir...

MR. TEÑIDO. Yes, Mr. Chair.

REP. LUISTRO. ...would you agree with me if I would say that Usec. Zuleika Lopez and SDO Gina Acosta are well experienced with regards to confidential fund.

MR. TEÑIDO. I cannot surmise, Mr. Chair, because I have no knowledge of their position or participation in Davao LGU.

REP. LUISTRO. Let us proceed to the Physical and Financial Plan. I hope, you are in the position to answer this. May we request the Secretariat to please flash the Physical and Financial Plan. Based on these documents, Sir, the OVP requested for 250 million confidential funds. This is for the 4th quarter of 2022. Kaka-assume lang po ng opisina ng ating Bise Presidente. And this is for the implementation of the Good Governance Program. Do you confirm this?

MR. TEÑIDO. I confirm the document, Mr. Chair.

REP. LUISTRO. And according to this document, the amount of 250 million confidential funds is supposed to be spent for a period of three months, equivalent to 90 days, representing the 4th quarter of 2022. Tama po ba?

MR. TEÑIDO. I confirm, Mr. Chair.

REP. LUISTRO. And to be specific, that would mean October, November, and December of 2022...

MR. TEÑIDO. I agree, Mr. Chair.

REP. LUISTRO. ...do you confirm?

And, of course, you are aware also that the entire amount of 250 million was not approved. Am I correct?

MR. TEÑIDO. Yes, Mr. Chair.

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REP. LUISTRO. And what was approved by the DBM only was 125 million. Tama po?

MR. TEÑIDO. That's correct, Mr. Chair.

REP. LUISTRO. Considering that the program that was presented to the DBM for that 250 million is three months, equivalent to 90 days, representing the last three months of the year 2022. Tama po bang sabihin that with regards to the approved 125 million confidential fund, this is supposed to be spent for a period of one and a half months, equivalent to 45 days, part of the last quarter of 2022?

MR. TEÑIDO. I cannot...I cannot tell that the amount of 125 million should...must be spent for one and a half months, Ma'am. Because...

REP. LUISTRO. But at least, Sir, if we will be basing it on the Physical and Financial Plan, which presented the 250 million as expenses to be incurred for the last quarter of 2022, which is equivalent to three months or 90 days, if the DBM only approved one-half, then it is reasonable to assume that 125 million representing one-half is supposed to be spent in one-half number of days of the supposed 90 days and that is 45 days. Is that a reasonable interpretation?

MR. TEÑIDO. Yes, Mr. Chair. I think that is reasonable.

REP. LUISTRO. It is a reasonable interpretation. Of course, we wish to manifest to the Committee, 250 million po ang request na confidential fund under the Good Governance Program. This is supposed to be spent during the last quarter of 2022. That is three months equivalent to 90 days, and to be specific, the month of October, November, and December of the year 2022. Considering, Mr. Chair, that what was approved was only one-half of the requested amount that is 125 million, I wish to believe that this is supposed to be spent in one-half of the presented period that is 45 days or one and a half months of the last quarter of 2022.

Nonetheless, Mr. Chair, during our previous hearings, it was established already...and I wish to confirm this from our resource speaker that that 125 million confidential fund of the OVP was spent only within the period of 11 days.

MR. TEÑIDO. If we will base it on the date of check, I think, it is equivalent to 11 days, Ma'am...Mr. Chair.

REP. LUISTRO. Yes. And can we please flash the next slide. There. The utilization of confidential fund, 125 million, December 21 to December 31, 2022, and that is equivalent to 11 days. Do you confirm this, Sir?

MR. TEÑIDO. I confirm, Mr. Chair.

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REP. LUISTRO. Now, let us look back to the 16 million, portion of the 125 million confidential fund which was used in the maintenance or rental of safe houses. This was liquidated by the use of 34 acknowledgment receipts. Do you confirm this?

MR. TEÑIDO. I cannot confirm, Mr. Chair, because I have no participation or knowledge with regard to the disbursement or the liquidation of the...

REP. LUISTRO. I understand.

MR. TEÑIDO. ...confidential fund.

REP. LUISTRO. Can we go back to Ms. Villadelrey. Ma'am, can we confirm that the 16 million, portion of the 125 million confidential funds, was liquidated...

(MS. EMERITA E. AVILA TOOK OVER)

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REP. LUISTRO. (Continuing)...was liquidated by way of acknowledgement receipts, 34 acknowledgement receipts, representing rental of safe houses?

MS. VILLADELREY. I cannot confirm, Your Honor, since I have no personal knowledge on the disbursement and utilization of confidential fund.

REP. LUISTRO. Do we have a resource speaker who have knowledge about this acknowledgement receipt? There is none?

Nevertheless, Mr. Chair, let this Representation manifest that the records show that the 125 million confidential fund was approved for the last quarter of 2022, and 16 million out of the same amount was liquidated by way of 34 acknowledgement receipts, representing rental of safe houses.

And I wish to further manifest, Mr. Chair, that the lowest amount among the 34 acknowledgement receipts is 250,000, which was spent for 11 days representing the rental of 22,000 per day for the said safehouse. The highest amount of acknowledgement receipt, Mr. Chair, is 1 million. And if we divide this into 11 days, that would mean that the rental per day for the safe house is 90,000, way higher than the luxury hotels, as previously presented and established in our hearings, Mr. Chair.

Mr. Chair, I wish to go back to Ms. Villadelrey.

Ma'am, doon po sa letter to the DBM for the request for augmentation fund, the purpose that was cited, "safe implementation of various projects and activities under the Good Governance Program," do you confirm this?

MS. VILLADELREY. I don't have knowledge of the request, Your Honor. I only have copy of the letter...

REP. LUISTRO. Can we please flash again the physical and financial plan? At least, Ms. Villadelrey, please confirm it from the document. From the Office of the OVP, it says, "safe implementation of OVP." I cannot read anymore. Would you know, Ms. Villadelrey, if during the time of Vice President Robredo, there is Good Governance Program also?

MS. VILLADELREY. Yes, Your Honor.

REP. LUISTRO. And under Vice President Robredo's Good Governance Program, may kasama po ba doon na maintenance of safe houses?

MS. VILLADELREY. Wala po, Your Honor.

REP. LUISTRO. Then, can you please enlighten us, bakit po dito sa Good Governance Program ni Vice President Duterte may nasamang maintenance of safe houses under confidential fund?

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MS. VILLADELREY. I'm sorry, Your Honor, wala po akong knowledge doon sa disbursement and utilization ng confidential funds.

REP. LUISTRO. Nonetheless, Mr. Chair, I wish to manifest that although, both Vice President Robredo and Vice President Duterte...

THE CHAIRPERSON. Congresswoman Luistro, maybe we can ask Atty. Sanchez because I noticed that her name was included in that document.

REP. LUISTRO. Ms. Sanchez...Atty. Sanchez

MS. SANCHEZ. Yes, Mr. Chair, Your Honor.

REP. LUISTRO. Do you confirm that Vice President Robredo has Good Governance Program also?

MS. SANCHEZ. Yes, Mr. Chair.

REP. LUISTRO. Would you confirm that under Vice President Robredo's Good Governance Program, there is no confidential fund?

MS. SANCHEZ. Yes, Mr. Chair.

REP. LUISTRO. And would you further confirm that under Vice President Robredo's Good Governance Program, there is no maintenance of safe houses?

MS. SANCHEZ. Yes, Mr. Chair, Your Honor.

REP. LUISTRO. Please enlighten us, bakit po pagdating sa programa, same program, Good Governance Program of Vice President Duterte, biglang nagkaroon ng confidential fund, biglang nagkaroon ng maintenance of safe houses?

MS. SANCHEZ. Your Honor, the budget was proposed by the Office of the Vice President and it would be for different programs, Your Honor. But as to the details, Your Honor, I do not have information on the specific details and items to be spent under the confidential expense, Your Honor.

REP. LUISTRO. Would it be correct to say that the key officials of Vice President Duterte altered the menu of the Good Governance Program of then Vice President Robredo?

MS. SANCHEZ. Mr. Chair, Your Honor, I think that would be a possible explanation, Your Honor.

REP. LUISTRO. And are they really allowed to alter the program?

MS. SANCHEZ. Mr. Chair, Your Honor, from my understanding, Your Honor, yes, that may be allowed because in the budget of the OVP, there is a general item, Your Honor, only which is the Good Governance Program.

REP. LUISTRO. In other words, Atty. Sanchez, that Good Governance Program is just a nomenclature.

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MS. SANCHEZ. It's like...

REP. LUISTRO. And as to what will be the menu under the Good Governance Program, that will depend on the Vice President. Am I correct?

MS. SANCHEZ. Mr. Chair, Your Honor, that is my understanding, Your Honor.

REP. LUISTRO. And who therefore prepared the program of the Good Governance Program under the time of Vice President Duterte?

MS. SANCHEZ. Mr. Chair, Your Honor, that would be the Office of the Vice President, Your Honor.

REP. LUISTRO. Can you please cite the name who in particular among the key officials prepared?

MS. SANCHEZ. Your Honor, I am...I do not have the specific information on who the particular persons who prepared, but the request was submitted to the Budget Division, Your Honor.

REP. LUISTRO. Nevertheless, Mr. Chair, in spite of the admission of Atty. Sanchez that they can alter, what is clear, the program good governance under Vice President Duterte suddenly includes confidential fund and maintenance of safe houses, items which were never seen and which were never included in the program of Vice President Robredo. Am I correct, Ma'am?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. LUISTRO. Another important observation, Mr. Chair.

Atty. Sanchez, last quarter of December 2022, OVP spent 16 million for maintenance of safe houses. Do you confirm?

MS. SANCHEZ. I have no personal knowledge, Your Honor.

REP. LUISTRO. May we know if any one of you has personal knowledge about this? Ms. Villadelrey?

MS. VILLADELREY. None, Your Honor.

REP. LUISTRO. Nevertheless, let me finish this manifestation. 2022, last quarter, the OVP spent 16 million for maintenance of safe houses. This was followed by 2023, first quarter; another 16 million for maintenance of safe houses. This was followed by 2023, second quarter; another 16 million for maintenance of safe houses. And finally, 2023, third quarter, this time 5 million maintenance of safe houses. The only conclusion that I can derive from 2022 last quarter to the third quarter of 2023, mayroon kayong informants or assets whom you are keeping in the safe houses that the OVP is renting.

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The question, however, is, why suddenly, pagdating ng last quarter ng 2023, wala ng expenditure for safe houses or not even for confidential fund? Saan po napunta iyong informant at assets niyo, which you have been keeping in your safe houses from the last quarter of 2022 to the third quarter of 2023? Iyon po ba in-abandon ng OVP? Iyon po ba biglang nag-disappear? I understand that you have no personal knowledge but, at least, please give us a reasonable interpretation of what happened why suddenly in the last quarter of 2023, nawala ang maintenance ng safe houses, which means nawala din ang informants at saka assets. Where did they go...

(MR. JEFFREY C. OVILLA TOOK OVER)

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REP. LUISTRO. (Continuing)...Where did they go, Ms. Villadelrey?

MS. VILLADELREY. I'm sorry, Your Honor, I cannot answer the question since I don't have really knowledge of the utilization of the Confidential Fund.

REP. LUISTRO. Attorney Sanchez?

MS. SANCHEZ. Your Honor, I'm... I also apologize. Same as the answer of Miss... Ms. Villadelrey, Your Honor.

REP. LUISTRO. Mr. Kevin?

MR. TEÑIDO. Same, Mr. Chair, I have no knowledge or participation in the utilization of the Confidential Funds.

REP. LUISTRO. Ms. Rabago?

MS. MA. EDELYN A. RABAGO (Administrative Officer V, Office of the Vice President). Same, Mr. Chair, I don't have a personal knowledge on the utilization of the Confidential Fund.

REP. LUISTRO. Ms. Villadelrey, can you at least tell us who has the personal knowledge over these matters?

MS. VILLADELREY. Based on the JC and based on the issuance of cash advance, it is the Special Disbursing Officer...

REP. LUISTRO. Who is?

MS. VILLADELREY. ...as the accountable officer.

REP. LUISTRO. Can you please cite the name of the Special Disbursing Officer?

MS. VILLADELREY. As shown in the check, Your Honor, it is Ms. Gina Acosta.

REP. LUISTRO. And apart from Ms. Gina Acosta, who else has personal knowledge over these matters?

MS. VILLADELREY. I don't have idea, Your Honor. I don't have knowledge.

REP. LUISTRO. And you confirm that Gina Acosta, the Special Disbursing Officer, whom you described earlier as confidential official with Salary Grade 24, is one of those who were subpoenaed and who did not appear, tama po ba?

MS. VILLADELREY. Tama po, Your Honor.

REP. LUISTRO. Thank you.

I have nothing further, Mr. Chair.

REP. BONGALON. Thank you, Congresswoman Luistro.

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REP. SUAREZ. Mr. Chair.

REP. BONGALON. Yes, Deputy Speaker Jay-Jay Suarez.

REP. SUAREZ. I just wanted to ask a question.

Attorney Sanchez, iyong binanggit po ni Congressman Luistro na Special Disbursement Officer, ano pong pangalan niya?

REP. BONGALON. Gina Acosta.

REP. SUAREZ. Gina Acosta. Yeah. She was the one cited in contempt, correct?

REP. BONGALON. Yes.

REP. SUAREZ. Yeah. Along with?

REP. BONGALON. Gina Fajarda.

REP. SUAREZ. Fajarda.

THE ACTING COMMITTEE SECRETARY. Fajarda is also a disbursing officer.

REP. SUAREZ. Ah, okay.

REP. LUISTRO. Fajarda is for DEPED.

REP. SUAREZ. Okay. I just wanted to get that clear.

Thank you very much.

THE ACTING COMMITTEE SECRETARY. Your Honor, may we please recognize the presence of Honorable Jonathan Keith T. Flores from the 2nd District of Bukidnon and Honorable Steve C. Solon from the Lone District of Sarangani.

Thank you, Your Honor.

THE CHAIRPERSON. Yes. The Chair would like to recognize the next interpellator, the Honorable Jefferson Khonghun.

You have the floor, please.

REP. KHONGHUN. Thank you, Mr. Chair.

Mr. Chair, gusto ko pong i-direkta ang aking katanungan kay Ginoong Gerome Teñido.

MR. TEÑIDO. Good afternoon, Mr. Chair.

REP. KHONGHUN. Good afternoon po.

Bilang eksperto po, 'no, sa budget and planning, budget preparation, familiar po kayo sa estimation at forecasting ng mga budget. Kung baga, ire-request mo iyong budget, nagre-request ka ng budget na kaya mong i-utilize, tama po ba?

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MR. TEÑIDO. That's correct, Mr. Chair.

REP. KHONGHUN. So, 'pag nag-request ka ng budget for one year, kaya mong siguraduhin na ito, eh, kayang-kaya mong i-utilize ng isang taon?

MR. TEÑIDO. Should be, Mr. Chair.

REP. KHONGHUN. Okay. So, 'pag nag-request ka naman ng one quarter, ng isang quarter, iyong inire-request mo rin, eh, kaya mong i-utilize sa isang quarter.

MR. TEÑIDO. Should be, Mr. Chair.

REP. KHONGHUN. Okay.

Mr. Kelvin, ano ang trabaho mo sa OVP?

MR. TEÑIDO. Isa po akong Budget Officer. Involved po ako sa paggawa ng budget proposal during budget proposal submission to DBM. And then during budget legislation, sa mga hearing po ng Committee on Appro, gumagawa din po kami ng documents to be... ready documents...

REP. KHONGHUN. Okay.

MR. TEÑIDO. ...for the hearing.

REP. KHONGHUN. Okay.

Kanina, may itinanong si Congresswoman Jinky kanina.

MR. TEÑIDO. Yes, Mr. Chair.

REP. KHONGHUN. Iyong na-alter, 'no. Kasi sinabi kanina walang budget, 'no, walang nakalagay na budget para doon sa confidential fund o maintenance, 'no, ng mga safehouses noong panahon ni VP Robredo. Tapos, noong naging si VP Duterte na, nagkaroon na ng ano, budget for maintenance ng mga safehouses.

May kinalaman ka ba sa pag...Bilang Budget Officer, may kinalaman ka ba sa paglalagay ng budget na ito?

MR. TEÑIDO. With re... Specifically for safehouses, wala po, Mr. Chair.

REP. KHONGHUN. Eh, 'di ba sa iyo dumadaan lahat, lalong-lalo na 'pag mga request ng mga budget? Siyempre, may kinalaman ka sa paglalagay ng menu, pagdagdag ng menu, 'no...

MR. TEÑIDO. That's...

REP. KHONGHUN. ...sa budget nito?

MR. TEÑIDO. ...That's correct, Mr. Chair. But in general sense po iyong naging... nakalagay sa letter as confidential expenses or confidential fund. Wala pong breakdown na mayroong maintenance of safehouses.

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REP. KHONGHUN. So, iyong nakalagay sa budget ng OVP na nakalagay doon is "maintenance for safehouses", wala kang kinalaman dito? Hindi ikaw ang naglagay dito sa inyong budget proposal?

MR. TEÑIDO. Yes. At that time of submission of request, wala pong ganoong specific na expense type or need, Sir... Mr. Chair.

REP. KHONGHUN. So, paano...papaano ito nailagay sa budget ng OVP kung hindi dumaan sa inyo iyong maintenance ng mga safehouses?

MR. TEÑIDO. Sir... Mr. Chair, the maintenance of safehouses is part of the confidential expenses. Iyong umbrella term na "confidential expense" po iyong naging part noong letter. However, doon sa letter, hindi na po naka-specify ano po iyong mga menu or items under "confidential expenses" na paggagamitan ng Confidential Fund.

REP. KHONGHUN. Sino ang naglagay ng menu na ito?

MR. TEÑIDO. I have no knowledge po, Mr. Chair.

REP. KHONGHUN. Ah, okay.

Mr. Kevin, 'no, responsibilidad niyo din sa... bilang Budget Officer na mag-flag down, 'no, ng mga deficiencies or flaws 'pag mayroon kayong nakikita sa budget im... impleme... implementation ng OVP, tama po ba?

MR. TEÑIDO. That's correct, Mr. Chair.

REP. KHONGHUN. Sa paggastos ng mga pondong natanggap din ng OVP?

MR. TEÑIDO. That's correct, Mr. Chair.

REP. KHONGHUN. May mga napansin ka bang iregularidad sa paggastos ng 125 million confidential fund ng OVP?

MR. TEÑIDO. Wala po, Mr. Chair. I have no knowledge with regard sa utilization. The Budget Division is mainly involved on the early phase po on the request of cash advance for confidential ex... activities.

REP. KHONGHUN. So, wala kang alam, lalong-lalo na sa kung papaano ni-utilize?

MR. TEÑIDO. Yes, Mr. Chair.

REP. KHONGHUN. Kay Madam Rosalynne Sanchez, 'di ba po kayo ang pumipirma ng tseke? Kasama po kayo sa pumirma ng tseke?

MS. SANCHEZ. Mr. Chair.

THE CHAIRPERSON. Attorney Sanchez, you are recognized.

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MS. SANCHEZ. Yes. Thank you, Mr. Chair.

That is correct, Your Honor, Mr. Chair.

REP. KHONGHUN. So, tingin niyo po ba hindi kasama sa inyong trabaho na tingnan kung ang mga pinipirmahan niyo pong tseke, eh, naaayon po ba o tama ang paggastos?

MS. SANCHEZ. Mr. Chair, Your Honor, at that time that the cash advance is issued, there is still no utilization yet. So, ang nangyayari po, iyong issuance ng check at the start. So, iyong utilization phase po, hindi na po covered ng signature ko on the check, Your Honor. And, also, under the Joint Circular, Your Honor, it is not also part of my duties and responsibilities, Your Honor.

REP. KHONGHUN. So, hindi ka nagtataka kung papaano at kung papaano pamamaraan ginamit iyong mga tseke na pinipirmahan mo?

MS. SANCHEZ. Mr. Chair, because I do not have knowledge as to how it was spent, hin... I am not in a position also para po magtaka, Your Honor.

REP. KHONGHUN. Okay.

Mister ano, 'no, Mr. Teñido...

MR. TEÑIDO. Yes, Mr. Chair.

REP. KHONGHUN. ...pumipirma po ba kayo ng ano, pumipirma po ba kayo ng,,, iyong tinatawag nating ano, F-A FAR? F-A-R, o iyong FAR?

MR. TEÑIDO. Yes, Mr. Chair, the Financial Accountability Report.

REP. KHONGHUN. Yes, Financial Accountability Report. Pumipirma po ba kayo noon?

MR. TEÑIDO. Yes, Mr. Chair.

REP. KHONGHUN. Mayroon po ba kayong pinipirmahan noon pagdating sa Confidential Fund?

MR. TEÑIDO. Part po ng FAR, Sir, is iyong line item na... or expense type na confidential expenses, Sir, Mr. Chair.

REP. KHONGHUN. So, nagsi-certify ka, tama?

MR. TEÑIDO. Nagsi-certified correct po na may pondong inilaan sa OVP para sa confidential expenses at may pondo rin po na in-obligate for the cash advance ng confidential activities.

REP. KHONGHUN. So, wala rin itong kinalaman sa paggastos...

MR. TEÑIDO. Yes, Mr. Chair.

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REP. KHONGHUN. ...kung tama ang paggastos?

MR. TEÑIDO. Correct, Mr. Chair.

REP. KHONGHUN. Okay, thank you.

Napansin ko din, Mr. Teñido, na hindi kayo nakapag-disburse ng Confidential Fund, ang OVP, noong fourth quarter of 2023, tama po ba?

MR. TEÑIDO. Tama po, Mr. Chair.

REP. KHONGHUN. Dahil dito, eh, may remaining balance o undisbursed balance ang OVP na 125 million.

MR. TEÑIDO. That's correct, Mr. Chair.

REP. KHONGHUN. Mr. Teñido, kung tama ang budget planning at forecasting na isinasagawa ninyo para sa 2023 budget ng OVP, mayroon kayong in-allot na 500 million na Confidential Fund for the entire year or 125 million each quarter. Hindi ba kailangan ng Office of the Vice President ang pondo na ito para sa fourth quarter?

MR. TEÑIDO. Based po doon sa...

(MS. ERLINDA C. REYES TOOK OVER)

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MR. TEÑIDO. (Continuing)...Based po doon sa aming report, wala na pong sinabmit *(submit)* na request for cash advance for the fourth quarter. So, hindi na po natin...namin na-utilize or na-obligate iyong remaining 125 million for Fiscal Year 2023 last quarter.

REP. KHONGHUN. Hindi ka ba nagtataka kung bakit first, second, and third quarter, may request na confidential fund ang OVP sa kanyang paggastos, lalong-lalo na para sa mga warehouse and safehouses, pero pagdating ng fourth quarter, bigla itong nawala at hindi na ginamit ng OVP ang kanyang budget for confidential fund? Hindi ba nakakapagtaka iyon?

MR. TEÑIDO. Nakakapagtaka po pero during the reporting po namin, internal, binabanggit po namin periodically na may remaining pa na 125 million na available for the last quarter.

REP. KHONGHUN. Bakit ka nagtaka?

MR. TEÑIDO. There are or there is a program budget na po for the entire year. So...and iyong 125 million is for the last quarter of 2023. Significant siya na puwedeng makaapekto sa budget utilization status or rate ng OVP. Hence, kailangan ko pong i-report na may available pa.

REP. KHONGHUN. Hindi ka ba...hindi ka ba nagtaka dahil kawawa naman iyong mga nasa safehouses and warehouse ninyo, sa mga binibigyan ninyo ng allowance na mga intelligence officers at hindi ka ba nagtaka para doon?

MR. TEÑIDO. At that time, Mr. Chair, wala po akong idea or knowledge kung paano ginagamit iyong confidential expenses except those items na nakalagay sa joint circular. So, wala po akong basehan para pagtakhan kung paano iyong mga safehouses, mga assets.

REP. KHONGHUN. Tingin ko wala ka rin...may alam ka rin ba kung ano na nangyari sa mga rewards and supplies for the informants, kung ano nangyari sa kanila? So, I guess, wala ka ring alam dito?

MR. TEÑIDO. Yes, Mr. Chair. Wala po akong knowledge.

REP. KHONGHUN. Alam mo, Mr. Teñido, tingin ko isa lang ang ibig sabihin nito, 'no, dahil hindi-dire-diretso iyong pag-utilize ng pondo ng OVP ng kanyang confidential fund. Ang isa lang na ibig sabihin nito ay walang totoong programa na pinaglalaanan itong confidential fund kung kaya't walang sinusundan na logic or forecasting ang budget para dito. At wala ring epekto sa ahensya na hindi nila nagamit iyong kanilang confidential fund. Tingin mo pupuwede ko bang iano iyon, isipin iyon?

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MR. TEÑIDO. Sir, as part of OVP, may mga activities naman po iyong OVP sa mga projects and programs. However, with...insofar as confidential activity is concerned, wala pong knowledge iyong Budget Division—lahat po kami doon—kung paano ginagamit ang confidential funds.

REP. KHONGHUN. Okay. Alam po ninyo, sa isang opisina, imposible pong hindi kayo nakakapagkwento-kwentuhan kung papaano ninyo nagagamit, 'no, ang isang pondo. Dahil alam naman natin lahat kayo nakapirma dito. At obligasyon din natin...obligasyon ninyo na siguraduhin na iyong confidential fund ay nagagamit sa tamang pamamaraan. So, parang hindi kapani-paniwala na talagang wala kayong idea kung papaano ito nayu-utilize, 'no. Kasi, siyempre, lahat iyan, you affix your signatures at kahit papaano responsible kayo sa kung saan, papaano ito nagagamit. Lalong-lalo na, ikaw, Madam Rosalynne Sanchez, iyong iyong pirma ay nasa tseke. Ikaw, Madam Villadelrey, kayo po ay ang Accountant, 'no, ng Office of the Vice President, na kahit papaano ay inaalam ninyo rin, sigurado ako, kung papaano nayu-utilize at nagagamit iyong mga pondo na ipinagkakatiwala sa Office of the Vice President. Maaaring sinasabi ninyo na wala kayong direktang information o walang nagpupuntang mga papeles na dumadaan sa inyong opisina, pero kahit papaano, alam ko, na dumadaan sa inyo iyong impormasyon kung papaano ito nagagamit.

Mr. Teñido, sa tingin ko, ikaw ang least guilty kung saka-sakaling may nangyaring iregularidad dito sa paggamit ng confidential fund ng Office of the Vice President. At sana, 'no, kung may nalalaman ka, mas maganda sabihin mo na. Kasi hindi naman titigil ang Komite na ito na para mag-imbestiga, lalong-lalo na kung papaano at ginamit, kung saan ginamit ang confidential fund ng Office of the Vice President. Nakita ninyo naman, may mga ilang tao na nakapirma pero iba-iba iyong pirma. Hindi alam kung saan, papaano ginamit, or kulang iyong information, lalong-lalo na sa acknowledgment receipt. Patong-patong na red flags, 'no, iyong nauungkat tungkol sa Office of the Vice President confidential fund for 2022 and 2023. Tila ba ginagamit ang confidential fund bilang sistema, 'no, para mag-commit ng plunder or manguha ng pera sa pamahalaan. So, kailangan nating malaman kung saan napupunta o papaano nagagamit ang confidential fund na ibinibigay natin sa ating mga opisina.

Iyon lang po, Mr. Chair. Maraming-maraming salamat po.

REP. SUAREZ. Thank you very much, Congressman Khonghun.

With the permission of the Chair. I just want to clarify something.

THE CHAIRPERSON. Please continue, Deputy Speaker Suarez.

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REP. SUAREZ. Ms. Rabago, tama po ba? Kanina tinanong po kayo kung mayroon po kayong knowledge tungkol sa confidential funds and your answer was?

MS. RABAGO. I don't have any personal knowledge on the utilization of the confidential fund, Your Honor.

REP. SUAREZ. Kayo po, Mr. Teñido?

MR. TEÑIDO. Yes, Sir. I have no personal knowledge insofar as the utilization and the liquidation of confidential funds.

REP. SUAREZ. But in the preparation, mayroon?

MR. TEÑIDO. Yes po. During budget request, budget proposal.

REP. SUAREZ. Okay. But pagdating sa actual disbursement, wala ka nang kinalaman doon?

MR. TEÑIDO. Wala na po, Mr. Chair.

REP. SUAREZ. Sa pag-planning, sa detalye, kung paano mabubuo iyong utilization, wala kayong kinalaman?

MR. TEÑIDO. Wala na po, Mr. Chair.

REP. SUAREZ. Ha?

MR. TEÑIDO. Wala na po, Mr. Chair.

REP. SUAREZ. Kaso lang part ng planning iyon, hindi po ba?

MR. TEÑIDO. Part lang po ng planning iyong physical and financial plan, once po may ganoon na, Sir...

REP. SUAREZ. So, lumpsum siya, in other words?

MR. TEÑIDO. Opo. Naka...

REP. SUAREZ. Okay. Sa inyo po, Atty. Sanchez?

MS. SANCHEZ. Same, Your Honor. And as mentioned earlier, my participation is limited to the issuance of the...sorry, signature on the check for the cash advance, Your Honor.

REP. SUAREZ. And kayo po, Ma'am, Villadelrey, Accountant?

MS. VILLADELREY. Yes. Same din po, Your Honor. Ang participation ko is the issuance of cash advance and processing of disbursement voucher.

REP. SUAREZ. So, Accountant, Budget Officer, Finance Officer, tapos ngayon, OIC Chief of Staff, correct?

MS. SANCHEZ. Your Honor, I am not the OIC Chief of Staff at the moment, Your Honor, and I only held that position for a few days, Your Honor.

REP. SUAREZ. So...yeah. Yes. Yes. I'm just making sure that I'm...my memory serves me right. So, the chief...Sorry. The Finance Officer, the Accountant

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and the one...and the finance...and the one who...and the budget planning, all of you are of the position na wala kayong kinalaman? No personal knowledge, correct? Therefore, only two people have knowledge about the confidential fund—the Special Disbursement Officer and the Vice President. Is that correct?

THE CHAIRPERSON. Please answer, Atty. Sanchez.

MS. SANCHEZ. Mr. Chair, based on the documents, Mr. Chair...

REP. SUAREZ. No. It's a yes or no, Ma'am. Is that correct?

MS. SANCHEZ. I cannot say, Your Honor. Because, as I've mentioned, I do not know the details of the confidential fund. So, I do not have...

REP. SUAREZ. No. Okay.

MS. SANCHEZ...information on who has knowledge.

REP. SUAREZ. Ma'am, it's...Okay. You're starting not to make sense. The question is simple. Kanina sinabi ninyo pagdating sa liquidation, wala kayong kinalaman. Ang bahagi ninyo nandito sa planning and documentation proper. But sa actual liquidation at utilization wala kayong kinalaman. So, ang tanong ko, sino ang may kinalaman dito o may alam dito? Kayo ang finance and administrative officer. You have full knowledge and control over the operations of the Office of the Vice President. That is part of your responsibility.

Now, my question is, who has knowledge and information on this?

MS. SANCHEZ. Mr. Chair, in terms of knowledge and control over the operations of the office...

REP. SUAREZ. No. No. No, Ma'am. When it comes to the confidential funds, my question is, who has knowledge over this?

MS. SANCHEZ. When it comes to the confidential fund, Your Honor, it should be the Special Disbursing Officer, Your Honor.

REP. SUAREZ. And that would be?

MS. SANCHEZ. Ms. Gina Acosta, Your Honor.

REP. SUAREZ. Okay. Under the office of...under the supervision of?

MS. SANCHEZ. She is assigned under the Office of the Chief of Staff...

(MS. NANETTE A. BUENVIAJE TOOK OVER)

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MS. SANCHEZ. (Continuing)...Chief of Staff, Your Honor.

REP. SUAREZ. And the Chief of Staff being?

MS. SANCHEZ. That is Attorney Zuleika T. Lopez, Your Honor.

REP. SUAREZ. And who does the Chief of Staff answer to?

MS. SANCHEZ. The Vice President, Your Honor.

REP. SUAREZ. Being whom?

MS. SANCHEZ. Vice President Sara Duterte, Your Honor.

REP. SUAREZ. So, nandoon iyong hierarchy.

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. Kasi kung wala na sa inyo, si SDO, Chief of Staff, at saka si VP na, correct?

MS. SANCHEZ. That is correct, Your Honor.

REP. SUAREZ. Okay. Thank you very much. I just wanted to get that straight, Mr. Chair.

THE CHAIRPERSON. Thank you.

REP. KHONGHUN. Mr. Chair.

THE CHAIRPERSON. Yes, Congressman Khonghun.

REP. KHONGHUN. Just an additional question, Mr. Chair. Sandaling-sandali lang. Kay Mr. Teñido, ano, nakalimutan ko lang itanong. Sino sa staff ng OVP ang involved sa budget preparation ng confidential fund kung hindi ikaw?

MR. TEÑIDO. Sorry, Mr. Chair, kindly repeat.

REP. KHONGHUN. Iyong sa Office of the Vice President confidential fund, kung hindi ikaw iyong nag-prepare ng menu, sino iyong nag-prepare ng menu for the confidential fund?

MR. TEÑIDO. During the budget request, Sir, wala pong menu.

REP. KHONGHUN. Yes.

MR. TEÑIDO. Just the confidential expense, then the amount. But based on the...if we are going to discuss na po the utilization, the disbursement, that is the SDO, Sir.

REP. KHONGHUN. Ah, siya rin ang may kinalaman?

MR. TEÑIDO. Yes, Sir, being the accountable officer.

REP. KHONGHUN. Which is si Gina Acosta.

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MR. TEÑIDO. Yes, Mr. Chair.

REP. KHONGHUN. May alam ka ba tungkol sa kanyang mga projection?

MR. TEÑIDO. Wala...

REP. KHONGHUN. Tungkol sa budget utilization ng confidential fund?

MR. TEÑIDO. Wala. Wala po, Mr. Chair. Ang document lang po na pinorward *(forward)* sa amin is the Physical and Financial Plan na na-flash po kanina.

REP. KHONGHUN. Okay. Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize the next interpellator, Congressman Jil.

REP. BONGALON. Thank you, Mr. Chair.

Good afternoon to our resource persons.

I would like to direct my questions to Attorney Rosalynne Sanchez. Can you please confirm kailan ninyo po na-receive iyong subpoena na inisyu *(issue)* po ng Komite na ito?

MS. SANCHEZ. Mr. Chair, I received the subpoena on 8 November 2024 at around 10 o'clock in the morning.

REP. BONGALON. At dahil na-receive ninyo po iyong subpoena, you prepared a statement, correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. Sino po iyong gumawa nitong statement po ninyo, ikaw po ba or may abogado po na gumawa ng statement ninyo?

MS. SANCHEZ. I personally prepared my statement, Mr. Chair.

REP. BONGALON. You personally prepared this statement, correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. And that statement that you are referring to was notarized on November 9. Would that be correct?

MS. SANCHEZ. Mr. Chair, I am not aware, Your Honor.

REP. BONGALON. You are not aware. But you are aware of the content of your statement.

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. There appears a signature over and above the name of Attorney Rosalynne L. Sanchez, is that your signature?

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MS. SANCHEZ. Well, I signed the statement, Your Honor.

REP. BONGALON. Do you confirm and affirm the statements mentioned in this statement?

MS. SANCHEZ. Mr. Chair, may I be allowed to read the statement, Your Honor.

REP. BONGALON. We already have the copy. We read this already. I'm just asking if...can you confirm and affirm the statements you have mentioned in a notarized statement dated November 9, 2024?

MS. SANCHEZ. Your Honor, since I did not personally send the statement, because I sent it through our office...

REP. BONGALON. No, kanina sabi mo ikaw iyong personal na naggawa mismo nitong statement. So, I'm just asking you if you can confirm and affirm the veracity and the truthfulness of your statements as indicated in this notarized document dated November 9, 2024.

MS. SANCHEZ. Your Honor, Mr. Chair, I confirm that I prepared the statement and that I submitted the statement through our office, but I am not sure if it is the same statement that reached your office, Your Honor.

THE CHAIRPERSON. ComSec, could you please show Attorney Sanchez the letter as mentioned by Congressman Jil.

REP. BONGALON. But you have a copy of your draft statement?

MS. SANCHEZ. Yes, Mr. Chair. Yes, Mr. Chair, it is the same statement that I prepared.

REP. BONGALON. So, just for the record, it is the same statement that you have prepared and notarized on November 9 of 2024.

MS. SANCHEZ. Your Honor, as mentioned, I only prepared the statement and signed it and submitted it to our office, Your Honor.

REP. BONGALON. Anyway, Mr. Chair, I will not belabor anymore on the statement. I would just like to ask the Committee Secretary to flash on the screen the organizational chart of the Office of Vice President. So, as flashed on the screen, Mr. Chair, this is the organizational chart of the Office of the Vice President. May I ask Attorney Sanchez if she can read the contents of this organizational chart?

MS. SANCHEZ. Yes, Your Honor.

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REP. BONGALON. And as mentioned in your statement, you are the Director for Administrative and Financial Services Office, is that correct?

MS. SANCHEZ. That is correct, Your Honor.

REP. BONGALON. And may I know kung saan po diyan sa organizational chart iyong pinag-uusapan natin kanina, iyong Special Disbursing Officer?

MS. SANCHEZ. Mr. Chair, the Special Disbursing Officer is assigned to the Office of the Chief of Staff, Your Honor.

REP. BONGALON. So, the Special Disbursing Officer or the SDO is assigned or under the Office of the Chief of Staff. And who is the Chief of Staff of the Office of the Vice President?

MS. SANCHEZ. Mr. Chair, the Chief of Staff is Attorney Zuleika Lopez.

REP. BONGALON. Attorney Zuleika Lopez, correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. So, being the Director for Administrative and Financial Services Office, may we know, basically, what are the tasks or duties and responsibilities of a Director for Admin and Financial Services?

MS. SANCHEZ. Mr. Chair, generally, it is to supervise the operations of the five divisions under my office. So, as stated in the organizational chart, those are the Budget Division, Accounting Division, Human Resource and Development Division, Cash Division and General Services Division.

REP. BONGALON. So, in other words, you have this supervisory authority or power over the General Services, Accounting, Cash, Budget Division, including Human Resource Development Division. Is that correct?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. BONGALON. So, Mr. Chair, this is with regard to the confidential funds for 2022 and 2023. So, sa pagkakaalam mo, nakatanggap ang OVP ng nagkakahalagang 125 million na confidential funds taong 2022. Is that correct?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. BONGALON. And the OVP received the funds by check on December 20, 2022, is that correct?

MS. SANCHEZ. The OVP released the check, Mr. Chair.

REP. BONGALON. On December 20…

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MS. SANCHEZ. On December 20, yes.

REP. BONGALON. ...of 2022. Correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. ComSec, may I request to flash on the screen the copy of the check. Check dated December 20 of 2022.

THE ACTING COMMITTEE SECRETARY. Your Honor, we're having technical difficulties but may we please...may I please recognize Senior Deputy Speaker Honorable Aurelio "Dong" D. Gonzales, Jr. from the 3rd District of Pampanga; and Vice Chairperson Honorable Janet L. Garin from the 1st District of Iloilo.

Thank you, Your Honor.

REP. BONGALON. Let me continue. Mr. Chair, as flashed on the screen is the check, Land Bank check dated December 20 of 2022, and it appears in that check two names, namely, Rosalynne Sanchez and Lemuel Ortonio. Is that correct?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. BONGALON. And there's a signature over and above....

(MS. EVANGELINE B. GALVAN-VALENCIA TOOK OVER)

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REP. BONGALON. (Continuing)...over and above the name of Rosalynne L. Sanchez. Is that your signature, Madam?

MS. SANCHEZ. Yes, that is my signature, Mr. Chair.

REP. BONGALON. And on the other hand, on the right portion, a signature appears over and above the name of Lemuel Ortonio, correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. May we know who is Lemuel Ortonio, for the record?

MS. SANCHEZ. Mr. Chair, Lemuel Ortonio is our Assistant Chief of Staff.

REP. BONGALON. Assistant Chief of Staff.

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. So, basically, based on the diagram or the organizational chart that we have shown a while ago, you are under the Assistant Secretary or the Assistant Chief of Staff in the person of Lemuel Ortonio, correct?

MS. SANCHEZ. Yes, that is correct, Mr. Chair.

REP. BONGALON. And you and Lemuel Ortonio are both from OVP, correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. So other than this check, nakatanggap din ang OVP ng tseke na nagkakahalagang 125 million na confidential funds noong first quarter ng taong 2023?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. And can we also show on the screen the check dated January 31, 2023 for reference? *(Image of the check was shown on the screen)* So that is the check. Can you confirm that that was the check that you are referring to?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. And in the same manner your name appeared in that check and your signature appeared in that check, correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. Likewise, Mr. Chair, a check dated March 18 of 2024 amounting to 125 million, which refers to the confidential fund of the Office of the Vice President. Again, the names of Rosalynne San.... Rosalynne Sanchez and Lemuel Ortonio appeared, and they signed it. Would that be correct?

MS. SANCHEZ. That is correct, Mr. Chair.

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REP. BONGALON. Also, a check dated July 13, 2024 bearing the same amount, 125 million, with the names of Rosalynne L. Sanchez and Lemuel Ortonio appeared in that check, correct?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. BONGALON. In all of those checks, sino po iyong payee doon sa mga tsekeng iyon?

MS. SANCHEZ. The Special Disbursing Officer, Your Honor.

REP. BONGALON. Sino po?

MS. SANCHEZ. The Special Disbursing Officer.

REP. BONGALON. And who is...?

MS. SANCHEZ. Ms. Gina Acosta.

REP. BONGALON. Ms. Gina Acosta. And a while ago you confirmed that those are your signatures, correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. May I know what is the relevance of your signature appearing in those checks.

MS. SANCHEZ. Your Honor, per bank requirement, there should be at least two signatories to the check, and once there is an approved disbursement voucher, the disbursement voucher is forwarded to the Cash Division to the... for the preparation and issuance of the check. And I receive the check for my signature from the Cash Division, Your Honor.

REP. BONGALON. Yes. Aside from the bank requirement that there are at least there must be two signatories, may I know what is the relevance of...

MS. SANCHEZ. Of signing.

REP. BONGALON. ...signing those checks?

MS. SANCHEZ. Your Honor, that... my signature implies that the documents, supporting documents for the issuance of the check is... are complete, Your Honor.

REP. BONGALON. Direct to the point, in other words, your signature implies that you are permitting the payee, in the name of Gina Acosta who is the Super... Special Disbursing Officer. Is that correct?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. BONGALON. You are implying that the payee will withdraw the amount indicated in those checks, correct?

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MS. SANCHEZ. That is correct, Mr. Chair.

REP. BONGALON. Ms. Sanchez, may I know what is your participation, as the Director, in the disbursement process of the confidential funds?

MS. SANCHEZ. My participation ends after the signa... signing of the check, Your Honor.

REP. BONGALON. So, after signing wala na ho kayong gagawin doon?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. May we know on what aspect, as the Director of the Administrative and Financial Services Office, you mentioned a while ago that you are exercising supervisory power or authority, in what aspect you are exercising that power or authority?

MS. SANCHEZ. Mr. Chair, Your Honor, for example, for the functions of the accountant, Your Honor, the Accounting Division is under my office, so I just need to make sure that she was able to review the documents and check the completeness, Your Honor, in accordance with her duties under the joint circular. For the Budget Division, that they are able to submit the required documents for the request of the budget. And for the Cash Division, that the documents, in terms of the preparation of the check, are complete and that the check that they prepared is correct as to the details on the amount and the name of the payee.

REP. BONGALON. In other words, your participation is with regard to the preparing of documents on how the Office of the Vice President will utilize the confidential funds. Could that be correct?

MS. SANCHEZ. Mr. Chair, it's not on the utilization but on the release of the cash advance, Mr. Chair.

REP. BONGALON. All right, on the release of the cash advance which is you signed that check on the assumption that all the documents are aboveboard. Would that be correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. How about in the process of spending the confidential funds, do you have any participation in the ex... in the process of expending the confidential funds?

MS. SANCHEZ. No, Mr. Chair.

REP. BONGALON. There is none?

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MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. How about your participation in the liquidation process, do you have any participation?

MS. SANCHEZ. No direct participation, Mr. Chair, but I just ensure that before the next check is released the liquidation report and the transmittal letter from the Commission on Audit ICFAO is attached to the disbursement voucher, Mr. Chair.

REP. BONGALON. You mean to say you don't have direct participation but, indirectly, you have to ensure na dapat mayroon pong mga naka-attach na mga documents doon sa pera na nagastos nang una.

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. And as the Director of the Administrative and Financial Services Office, you have the duty and responsibility to ensure that everything is in order, correct?

MS. SANCHEZ. The documents are in order, yes, Mr. Chair.

REP. BONGALON. Documents are in order, all the necessary documents are attached before you proceed with the payment of the cash advance, correct?

MS. SANCHEZ. That is correct, Mr. Chair.

REP. BONGALON. I assume that you are familiar with the first Audit Observation Memorandum for the fourth quarter of year 2022, which I refer to the AOM No. 2023-211, issued by the Commission on Audit to the Office of the Vice President on September 14, 2023, correct?

MS. SANCHEZ. Yes, Mr. Chair, I have seen the Audit Observation Memorandum.

REP. BONGALON. You have seen that AOM.

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. You have read and understood the contents of that AOM, correct?

MS. SANCHEZ. I have read the AOM, Mr. Chair.

REP. BONGALON. Do you agree with me that in AOM No. 2023-211 of the COA, which states, "The accomplishment report reflected only the lumped amount for surveillance/monitoring activity undertaken in 132 areas without specific details of the corresponding expenditures by object or the confidential expenses incurred." At sinasabi pa po sa AOM na ito, "Without the specific details on the confidential activities

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undertaken and confidential expenses incurred in the accomplishment report, it cannot be determined that the utilization of the confidential fund for the period December 21 to 31 of 2022 is warranted considering that in the PFP the allocated amount is good for three months. As such, the management shall submit documentary evidence of payment." Can you confirm that statement as contained in the AOM No. 2023-211?

MS. SANCHEZ. Mr. Chair, I don't have a copy of the AOM, but I recall that there is something to that effect, Your Honor, Mr. Chair.

REP. BONGALON. All right. And on February 1, 2023 another AOM No. 2024-14 for the first and second quarters of 2023 was issued by COA. Are you aware of this?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. And have you seen this AOM?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. Have you read the contents of this AOM?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. Do you agree that the AOM No. 2024-14 stated in the following...

(MS. MARIA LEONOR M. FALZADO TOOK OVER)

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REP. BONGALON. (Continuing)...in the following: the propriety of the transactions could not be ascertained as the submitted LRs or the Liquidation Reports were not fully supported with complete and proper documentations required under the Joint Circular No. 2015-01, dated January 8, 2015, of the Commission on Audit, Department of Budget and Management, DILG, Governance Commission for GOCCs, and Department of National Defense. Would that statement be correct?

MS. SANCHEZ. Again, Mr. Chair, I do not have a copy of the AOM but I recall that there is something to that effect, Mr. Chair.

REP. BONGALON. You recall that there is something to this effect.

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. And this is what is stated in the...as mentioned, AOM.

Next, on August 8, 2024, another AOM dated or numbered 2024-170 for the third quarter of the year 2023, and that was issued by COA. Have you seen the contents of this AOM?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. Have you read and understood the contents of this AOM?

MS. SANCHEZ. I have read the contents, Sir.

REP. BONGALON. Do you agree with me that in the said AOM, it stated also the propriety of the transactions could not be ascertained as the submitted liquidation reports were not fully supported with complete and proper documentations as mentioned or required under the Joint Circular? Would that be correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. Therefore, Mr. Chair, given that these AOMs were issued by COA to the Office of the Vice President, it necessarily means, according to the Joint Circular, there were deficiencies noted in the audit of the confidential funds requiring comments and/or submission of documentary requirements. Would that be correct?

MS. SANCHEZ. Yes, Mr. Chair.

REP. BONGALON. Therefore, there is no other conclusion than the fact that the manner in which the confidential funds were spent are not properly and not sufficiently substantiated. Is that correct?

MS. SANCHEZ. Based on the audit observation, Your Honor, that is what is indicated, Your Honor.

REP. BONGALON. And would that be correct?

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MS. SANCHEZ. I have no personal information, Your Honor, because I do not have knowledge on the actual transactions out of the confidential fund, Your Honor.

REP. BONGALON. Do you agree with the contents of that AOMs that it was not properly documented and sufficiently substantiated?

MS. SANCHEZ. Your Honor, I apologize but I am not in a position to give my opinion on that matter because I do not have transactions.

REP. BONGALON. But because of the issuance of the AOMs, the OVP was required to submit additional documentary proof. Would that be correct?

MS. SANCHEZ. That is correct, Your Honor.

REP. BONGALON. Based on your understanding of the AOM issued by COA?

MS. SANCHEZ. Yes. That is correct, Your Honor.

REP. BONGALON. And pursuant to the AOMs, the OVP submitted Documents Evidencing Payment or the DEPs. Correct?

MS. SANCHEZ. As far as I know, there was a submission, Your Honor, and compliance with the AOM.

REP. BONGALON. So, in compliance of the AOM, the Office of the Vice President submitted Documentary Evidencing Payments or DEPs. Correct?

MS. SANCHEZ. Based on my information, Your Honor,...based on my knowledge, I...there appears to be a submission, Your Honor.

REP. BONGALON. And these DEPs consist of several acknowledgment receipts or ARs. Correct?

MS. SANCHEZ. I am not aware, Your Honor.

REP. BONGALON. How come that you are not aware?

MS. SANCHEZ. Because I was not the one that submitted the reply to the AOM, Your Honor.

REP. BONGALON. But have you seen the acknowledgment receipts?

MS. SANCHEZ. No, Your Honor. Actually, I have seen some of the acknowledgment receipts when it was presented before this Committee, Your Honor.

REP. BONGALON. So it was only during that time that you have seen those Acknowledgement Receipts?

MS. SANCHEZ. Yes. That is...

REP. BONGALON. Correct?

MS. SANCHEZ. ...correct, Your Honor.

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REP. BONGALON. And, as discussed last hearing and as you have mentioned, iyon lang iyong panahon na nakita mo iyong mga sinasabing DEPs or the acknowledgment receipts. There were several irregularities identified in the DEPs that were submitted by the Office of the Vice President. Aware ho kayo doon?

MS. SANCHEZ. Based on what was presented during the Committee hearing last... based on the last Committee hearing, Your Honor.

REP. BONGALON. And that was one of the subject matters of the previously conducted hearing. Correct?

MS. SANCHEZ. Yes, Your Honor.

REP. BONGALON. And ang sinasabi ko pong mga irregularities dito, as presented and found out during that Committee hearing, iyong mga DEPs or iyong mga acknowledgement receipts or ARs ay walang petsa or kung may petsa man, hindi po nakalagay nang maayos o kaya merong discrepancy doon sa petsa na nakalagay. Pangatlo, hindi mabasa ang mga pangalan. Pang-apat, kung hindi naman mabasa iyong iba, iyong iba paulit-ulit ang pangalan and it appeared repeatedly in those ARs. Pang-lima, may mga pangalan na nakalagay, readable pero walang pirma. At pang-anim, on the reverse, may pirma pero walang nakalagay na pangalan.

Are you aware of that?

MS. SANCHEZ. No, Your Honor.

REP. BONGALON. But that was the outcome of the Committee hearing conducted previously. Correct?

MS. SANCHEZ. I apologize, Your Honor. I wasn't able to watch the entire hearing, Your Honor.

REP. BONGALON. Doon ho sa mga ARs, only a signature is affixed with no indicated name of the signatory. The opposite occurs wherein a name is written but a signature is lacking. So iyon po iyong naging resulta noong naging Committee hearing noong nakaraang linggo.

Anyway, last question, Ma'am, paano po nangyari itong mga ARs which considerably...which is considered as fictitious and fabricated. Do you have any knowledge on how they could come up with this kind of documents appearing in these acknowledgement receipts and presented before the COA and found out that this very dubious documents?

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MS. SANCHEZ. Mr. Chair, Your Honor, respectfully, I apologize but I cannot answer because I do not have personal knowledge on that matter.

REP. BONGALON. Thank you.

That would be all, Mr. Chair.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize the Honorable Keith Flores.

REP. JONATHAN KEITH T. FLORES. Thank you, Mr. Chair.

Atty. Sanchez, I was listening to the questions of Congressman Jil kanina and specifically about your letter, your statement, ano. Did you or did you not know that the letter that was submitted to this Committee was notarized?

MS. SANCHEZ. Your Honor, I did not know, Your Honor.

REP. FLORES. You did not know. So, now, that you know that it was notarized without your knowledge, what does...how does that it make you feel, as a lawyer, Atty. Sanchez?

MS. SANCHEZ. Your Honor, I would have to check, Your Honor.

REP. FLORES. You have to check your feelings. How do you feel about the matter that the letter that was submitted was notarized without you knowing that it was notarized?

MS. SANCHEZ. Your Honor, I know that it had to be notarized, but I was not able to personally have it notarized because of time constraints, Your Honor.

REP. FLORES. So, you did not have it notarized by yourself?

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. So, isn't the notarization, doesn't it state that you personally appeared before this notary public, *et cetera, et cetera*?

MS. SANCHEZ. Your Honor, as I mentioned, I did not have it personally notarized.

REP. FLORES. Kaya nga, my question is, as a lawyer, how does it make you feel? What is your thoughts about the matter?

MS. SANCHEZ. I would need to check, Your Honor, on...

REP. FLORES. You need to check on how do you feel.

MS. SANCHEZ. And...no, no, Your Honor.

REP. FLORES. All right. I got it, I got it, Atty. Sanchez.

MS. SANCHEZ. On how it got notarized, Your Honor.

REP. FLORES. Yeah. Thank you.

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Now, in your statement, you said, dated November 9, ano, na the documents that you submitted contained the names of the beneficiaries of the programs...of the different programs of the Office of the Vice President. Correct?

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. And it contained the names and the details of these persons who received help from the Office of the Vice President.

MS. SANCHEZ. That is correct, Your Honor.

REP. FLORES. And there were a lot of programs mentioned in the Office of the Vice President, hindi ba, and...who have very good programs din. Parang namimigay din ng ayuda iyong Office of the Vice President.

MS. SANCHEZ. We provide assistance, Your Honor.

REP. FLORES. Yeah. Kaya nga, in the form of an ayuda.

MS. SANCHEZ. Various forms, Your Honor.

REP. FLORES. Now, one of these is the Medical Assistance Program. Correct?

MS. SANCHEZ. That is correct, Your Honor.

REP. FLORES. Another is the rice, food bags.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. And sa sinabmit *(submit)* ninyo na 2023 budget accountability report, you indicated that there were about...

(MS. EMMA RUTH E. GAÑALON TOOK OVER)

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REP. FLORES. (Continuing)...were about 977,615 beneficiaries of the different programs of the Vice President.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. Most of which were the Libreng Sakay.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. How did you account for the Libreng Sakay, in the first place? Did you count how many people rode the jeepneys?

MS. SANCHEZ. Yes, Your Honor. We require the conductors to submit trip reports. So, for every trip, they have a ticker as to the number of passengers that rode the bus, Your Honor.

REP. FLORES. So, that is the bulk of the beneficiaries, ano...

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. ...iyong Libreng Sakay. Okay.

Now, ang medical assistance, like—are you familiar with how the medical assistance given by the Office of the Vice President?

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. So, you are. Is there a limitation as to how much one can get in terms of medical assistance?

MS. SANCHEZ. We have a tier, Your Honor.

REP. FLORES. Tier. Okay.

MS. SANCHEZ. And it depends on the nature of the assistance being requested, Your Honor.

REP. FLORES. So, to the determine the nature of the assistance needed, specifically the medical assistance, you would need to interview the patient or the person asking for medical assistance.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. So, do you have in the employ of the Office of the Vice President social workers?

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. Who does the interviewing?

MS. SANCHEZ. Some social workers, Your Honor; but there are...

REP. FLORES. Some, social workers.

MS. SANCHEZ. ...other employees who are non-social workers, Your Honor.

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REP. FLORES. Okay. Now, the medical assistance is given in a form of cash or goods?

MS. SANCHEZ. It's in the form of guarantee letters, Your Honor.

REP. FLORES. Guarantee letters to another...

MS. SANCHEZ. To...

REP. FLORES. ...government agency.

MS. SANCHEZ. No, Your Honor. It can be a government hospital but it can also be private hospitals, and pharmacies and other medical service providers, Your Honor.

REP. FLORES. So, let me understand it. You give a guarantee letter to, example, Patient A is asking for 10,000 pesos; and, after interviewing, parang you find out na they are qualified to get this kind of amount. So, you give a guarantee letter addressed to the hospital where he or she is being admitted that the Office of the Vice President will pay for this amount...

MS. SANCHEZ. Yes.

REP. FLORES. ...or will cover this amount.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. That's correct. Right?

MS. SANCHEZ. Yes.

REP. FLORES. How about in terms of medicines or something like that?

MS. SANCHEZ. We also give...for 2023, Your Honor, we provide the medicines, Your Honor, but...

REP. FLORES. Ah, so actual medicines na.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. So, they bring...they give you parang prescriptions, and then ang ibabalik ninyo sa kanila are actual medicines that they need.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. But then, again, when you report this in your budget accountability report, you indicate how much or...ilan...magkano ang value ng medicines na ibinigay ninyo to this particular patient.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. So, in this report, you indicated that there were about 95,756 na nakatanggap ng medical assistance.

MS. SANCHEZ. Sorry, let me...

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REP. FLORES. Would that be a fair statement or an accurate statement, Atty. Sanchez?

MS. SANCHEZ. Your Honor, can we see the presentation again, Your Honor. Sorry.

REP. FLORES. Table No. 16. Do we have a slide of Table No. 16? Iyong...yes, that one.

MS. SANCHEZ. Ninety-five thousand seven hundred fifty-six, Your Honor.

REP. FLORES. Would that be correct?

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. So, now, 95,756 and binigyan ninyo ng medical assistance and the total amount given for medical assistance was about 998 million 279 and 54 pesos. It's almost a billion pesos. Would that also be correct?

MS. SANCHEZ. I will confirm, Your Honor, if that amount includes the burial assistance.

REP. FLORES. Can anyone of the persons invited confirm the amount?

MS. SANCHEZ. Your Honor, based on the annual audited report, the amount disbursed for both Medical and Burial Assistance Programs, Your Honor...

REP. FLORES. Just medical assistance, yeah.

MS. SANCHEZ. For medical assistance, Your Honor, we reported a lump sum amount.

REP. FLORES. Ah, lump sum. Magkano iyong amount na ni-report ninyo?

MS. SANCHEZ. One billion 44 thousand 560...1 billion 44 million 569 thousand 868, Your Honor.

REP. FLORES. That's for both medical and burial...

MS. SANCHEZ. Burial, Your Honor.

REP. FLORES. ...assistance. Well, anyway, from the documents that we got, it indicated na 998 lang dito ang medical assistance.

So, if you gave 998 million pesos in medical assistance to 95,000 persons, that should average out at about 10,500 or more or less, ano, per person?

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. Is that the usual amount that you give to ano or it would vary?

MS. SANCHEZ. It would vary, Your Honor.

REP. FLORES. So, some would be 20,000; 50,000 maybe.

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MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. May cap ba kayo?

MS. SANCHEZ. The cap for 2023 is 50,000, Your Honor.

REP. FLORES. For medical assistance.

MS. SANCHEZ. Yes…

REP. FLORES. That's the cap for medical assistance.

MS. SANCHEZ. …Your Honor. For hospitalization, Your Honor.

REP. FLORES. Hospitalization. And why was there a cap that was set for medical assistance? Bakit may cap?

MS. SANCHEZ. Your Honor, we set a cap because of the limited amount of budget, Your Honor.

REP. FLORES. Because of the limited amount of budget kaya dapat, para mas marami kayong matulungan, ma-spread out itong amount na ito, you set it at 50,000 pesos.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. Maximum, ano…

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. …for hospitalized na patients or something.

MS. SANCHEZ. Yes, Your Honor.

REP. FLORES. Now, kasi the thing I'm...why I'm asking this is that the confidential fund also had medical payments or something for medical things, ano. Do you confirm that?

MS. SANCHEZ. Your Honor, I have no…

REP. FLORES. Medical and—ano ba iyong sinasabi nila—purchase on…purchase of provision of medical and food aid ang sinasabi to justify the expense. So, that was the documents that the Office of the Vice President submitted. And in one of these parang tulong na ibinigay nila in terms of purchase of provision of medical and food aid is in the amount of 1 million pesos, ano.

So, if the theory supposedly was that we were to cap the medical assistance at 50 para mas marami iyong matulungan, bakit may isang medical assistance na umabot ng 1 million pesos? Okay. If we can show the acknowledgement receipt para mapakita natin iyan. February 6, 2023, 1 million, provision of...purchase of provision of medical and food aid. So, hindi ba, it defeats the purpose? So, akala ko nga, kina-cap ninyo at

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50,000 para mas marami iyong matulungan ninyo. Bakit dito, 1 million isang tao lang? Would you know the reason for that, Atty. Sanchez?

MS. SANCHEZ. I'm sorry, Your Honor, but I do not have information on that.

REP. FLORES. Okay. Now, in the regular program din na...ito, Rice Food Bags, how much is given to each beneficiary sa Rice Food Bags?

MS. SANCHEZ. Mr. Chair, Your Honor, the average amount of the package is around 500 pesos, Your Honor.

REP. FLORES. Five hundred pesos. So, kung 50,000 na Medical Assistance plus Rice na 500 pesos, that should just be 50,500. Hindi ba? Hindi puwede itong 1 million na ginamitan ng confidential fund kasi sobra-sobra na siyam hindi ba, if you go through the normal iyong programs of the Office of the Vice President?

Kasi the thing, I'm...ang hindi ko lang makuha kasi is, like, if you already have an existing Medical Assistance Program and if you already have an existing Rice Food Bag Program, why would you still be needing to use the confidential fund for the provision of medical and food aid. Bakit po kaya, sa tingin ninyo?

MS. SANCHEZ. I'm sorry, Mr. Chair, Your Honor, but I cannot make an opinion on that matter.

REP. FLORES. So, you don't know the reason why, ano?

MS. SANCHEZ. Yes, Mr. Chair.

REP. FLORES. But wouldn't it be more practical sana na isang source of fund lang ang sa medical assistance, isang source of fund lang ang sa food aid para mas uniform iyong pagbigay ninyo at mas marami ang mabibigyan ninyo ng ayuda?

MS. SANCHEZ. Mr. Chair, I do not have information on the actual utilization of the confidential fund, Your Honor.

REP. FLORES. Yeah. Kasi in December 21 to 31 noong 2022 na confidential fund, ang provision of medical and food aid is 40 million. Hindi ba? Now, on February 6 to March 29, 2023 din, in the first quarter of 2023, ang provisions for medical and food aid increased to 42 million. Sa ano naman...sa April 25 to June 30 is bumalik to 40 million. Now, hindi ko lang maintindihan po bakit kailangan pang mag-utilize ng confidential fund if may existing na kayo na programa for food and medical assistance?...

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REP. FLORES. (Continuing)...medical assistance?

MS. SANCHEZ. I have no knowledge about that, Mr. Chair.

REP. FLORES. Now, again, in your letter, kasi... balikan ko ito, ha. In your letter... In your statement pala, dated November 9, you said na lahat ng beneficiaries at details nila ay nailista when you submitted it to the COA, tama po ba?

MS. SANCHEZ. Yes, Mr. Chair.

REP. FLORES. Now, ang details na ito would include saan ang hospital, magkanong ibinigay, anong address ng... ng beneficiary na binigyan, tama po ba?

MS. SANCHEZ. Yes, Mr. Chair, with respect to the Regular Fund, Your Honor.

REP. FLORES. Yes, with respect to the Regular Fund, which is contrary to the Confidential Fund na ginamit din for the similar purpose of the provision of medical and food aid, which just states na it's one million to this person, just the name and signature and the date, tama po?

MS. SANCHEZ. Yes, Mr. Chair.

REP. FLORES. So, again, I understand the programs of the... the Vice President. They're very good programs, 'no, tulong sa tao, 'no, ayuda din in that form. But why do you need to use separate funds that have different accounting requirements? Iyan ang...Iyan ang tanong ko, eh.

MS. SANCHEZ. Mr. Chair, I cannot answer on that. But from what I know, Your Honor, is that the Confidential Funds are intended for a different set of beneficiaries, or it is for a different purpose, Your Honor, than...

REP. FLORES. But it said...

MS. SANCHEZ. ...the regular programs of...

REP. FLORES. ...medical and food aid din, eh. It's the same purpose as that of your medical assistance and rice food bags. Similar din, 'di ba?

MS. SANCHEZ. I have no information, Your Honor, because the details as to the specific purpose of the confidential fund has not been disclosed to me, Your Honor.

REP. FLORES. Has not been?

MS. SANCHEZ. Was not disclosed to me, Your Honor.

REP. FLORES. Kaya nga, that's... that's where... that's what I'm harping at, eh. It's like, kasi kung uniform lang sana, anyway it's the same purpose, it's the same

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intention na tulungan itong mga taong ito or whatever, 'no, bakit hindi isang fund na lang ang gagamitin or tap into one fund? Anyway, in that part... in the regular program, you said kanina na may social workers kayo who will be interviewing these people, 'di ba? And in fact, even set a cap, para mas marami kayong matulungan, may cap kayo at 50,000. Yet here, as an example, I showed you kanina, iyong isang acknowledgement receipt lang 1 million, isang tao lang. And all it said was that it is for medical aid and food provisions. So, that... that's...that's my... my... my ano, 'no, concern, 'no? And I think lang, even if it is such a laudable program, it's a very good program that was initiated by the Office of the Vice President, para to avoid confusion na lang and investigations like this sana, dapat one source of fund for that purpose, iyon na iyon, 'di ba? Huwag na iyong i-tap mo pa ang confidential... The confidential fund should be used for purposes approved by the Joint Circular. Dapat, iyon lang, huwag na iyong food and medical, mayroon na kayong regular program for that. In fact, mas malaki pa nga ang pondo niyo for that, 'di ba? How much ang pondo niyo for... for that regular programs na ginamit niyo for medical assistance and... and food aid?

MS. SANCHEZ. Around 1 billion, Your Honor, for medical and burial...

REP. FLORES. See?

MS. SANCHEZ. ...assistance, Your Honor.

REP. FLORES. So, iyong 40 million na iyon, maliit lang na bagay iyong, 'di ba, compared to the ano. But why use it in such a way na different iyong accounting requirements and reportorial requirements? Iyan ang... ang hindi ko masagot, and I'm sure, most likely, hindi mo rin masagot iyan. Can you answer?

MS. SANCHEZ. No... No, Your Honor.

REP. FLORES. Yes. And sino sa tingin mo ang puwedeng magsagot... who could answer, 'no, who could give us answers to these questions? Sino po?

MS. SANCHEZ. Your Honor, as to the actual disbursements of the fund, that would be the Special Disbursing Officer, Your Honor.

REP. FLORES. How about as to the reason as to why two separate funds were used, who should have answered this? Bakit Confidential ang isa, bakit Regular Fund ang isa?

MS. SANCHEZ. Your Honor, the fund was requested by the Office of the Vice President, Your Honor.

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REP. FLORES. Kaya nga, I'm questioning who would be the person in the best position to answer why it was separated pa?

MS. SANCHEZ. Your Honor, the head of the agency, Your Honor.

REP. FLORES. And who is that head of agency?

MS. SANCHEZ. Vice President Sara Duterte, Your Honor.

REP. FLORES. Thank you, Attorney Sanchez.

Thank you, Mr. Chair.

THE CHAIRPERSON. Thank you, Congressman Flores.

The Chair would like to recognize Congresswoman Mika Suansing.

REP. MIKAELA ANGELA B. SUANSING. Thank you very much, Mr. Chair. Mr. Chair, I would like to direct my first set of questions to Attorney Sanchez.

Attorney Sanchez, I would just like to reiterate some of the questions my colleagues asked. A while ago, nakalagay po di... you signified that the signature on the statement is yours and it was duly authorized, but you had no knowledge that it was notarized, is that correct, Attorney Sanchez?

MS. SANCHEZ. Yes, Your Honor.

REP. M.A.B. SUANSING. Opo. Siguro on this po, I will not belabor the point, but I would just like to second what Cong. Rodge spoke about earlier. Kasi pati po dito makikita natin ang nag-notarize po noong inyong statement ay si Attorney Rochelle Abella which, to me, is very interesting, Mr. Chair, because, one, she's already operating outside of her area of jurisdiction which actually kind of renders the notarization invalid. But second po, apart from like official OVP, DEPED documents, it seems like she's also handling personal notarizations, it's like notarizations of personal documents for all of the employees of OVP and DEPED without the employee's knowledge. So, mukha pong, Mr. Chair, I would leave it... I would defer it to the judgment of the Committee as to whether we should also call on Attorney Rochelle Abella to answer some of the questions, because it seems like she's certifying, notarizing a lot of the documents that are being covered in this Committee, Mr. Chair. But I would just like, Mr. Chair, I will defer that to the Committee as to whether we want to invite Attorney Rochelle Abella.

REP. SUAREZ. Just an interjection, Mr. Chair. In line with the statements of Congresswoman Mika, Mr. Chair, can I move that we invite Attorney Abella.

THE CHAIRPERSON. There's a motion to invite Attorney Abella...

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REP. ACIDRE. Second, Mr. Chair.

THE CHAIRPERSON. ...duly seconded. Is there any objection? Hearing none, the motion is carried.

REP. SUAREZ. Thank you very much.

REP. BONGALON. Mr. Chair, interjection.

THE CHAIRPERSON. Yes, Congressman Jil.

REP. BONGALON. Attorney Sanchez, you mentioned that you have no knowledge that the statement was notarized, correct?

MS. SANCHEZ. Mr. Chair, I submitted my signed statement to the office, to the OVP, Your Honor, but I was not part of the notarization, Your Honor.

REP. BONGALON. But you are aware that that document will be notarized because you received a phone call asking for your ID, correct?

MS. SANCHEZ. I was aware that it would be notarized, but I was not aware if it was actually notarized, Your Honor.

REP. BONGALON. For Ms. Julieta Villadelrey, who prepared your statement?

MS. VILLADELREY. Ako po, Your Honor.

REP. BONGALON. Ikaw po, hindi po iyong lawyer na nag-notarize? Okay, thank you.

REP. SUAREZ. Mr. Chair, just along that line.

So, Attorney Sanchez, with regards to the statement, you mentioned that you were not aware that it was notarized, is that correct?

MS. SANCHEZ. We intended to have it notarized, Your Honor. But as to the actual notarization, due to the short period of time from the time that I received the subpoena and the time that I made my statement, hindi ko na po napa-notarize.

REP. SUAREZ. So, who had it notarized?

MS. SANCHEZ. I will... Again, Your Honor, I will check po with our office, Your Honor.

REP. SUAREZ. Hindi. Kasi ikaw ang Acting Chief of Staff, so, you would know to whom you would entrust notarizing that document.

MS. SANCHEZ. Your Honor, just to correct Your Honor, I am not the Acting Chief of Staff.

REP. SUAREZ. You are?

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MS. SANCHEZ. I am the Director for Administrative and Financial Services Office.

REP. SUAREZ. Okay, sorry...

MS. SANCHEZ. Yes.

REP. SUAREZ. ...Okay. Now, insofar as it's a document that has your signature affixed to it...

MS. SANCHEZ. Yes. Yes, Your Honor, I just...

REP. SUAREZ. ...so, to whom did you entrust the responsibility of having that document notarized?

MS. SANCHEZ. I just left the document, Your Honor, to the head of our Legal Affairs Division, Your Honor.

REP. SUAREZ. And that would be?

MS. SANCHEZ. Attorney Torrentira, Your Honor.

REP. SUAREZ. Iyong nandito kanina?

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. So, meaning, iniwan mo iyong dokumento na pinirmahan mo, na ikaw din ang gumawa, sa kanya, tapos siya na po ang nagpa-notaryo, tama po ba?

MS. SANCHEZ. I am not sure, Your Honor.

REP. SUAREZ. No, but you had... you... you entrusted it to her, correct?

MS. SANCHEZ. Yes, Your Honor.

REP. SUAREZ. Okay.

MS. SANCHEZ. I just requested her, Your Honor, to send the document to...

REP. SUAREZ. So, you did not know whether or not she had the document notarized?

MS. SANCHEZ. Yes, Your Honor...

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MS. SANCHEZ. (Continuing)...Yes, Your Honor.

REP. SUAREZ. Okay. Thank you very much.

REP. BONGALON. Mr. Chair.

REP. SUAREZ. I'm sorry, Congresswoman Suansing.

REP. M. A. B. SUANSING. Thank you very much, Mr. Chair.

Mr. Chair, I will also...maybe one question that's also playing in my mind is given that they're all...they all seem to be centralizing the submission of all of these documents. It...baka mayroon pong filter. Baka mayroon pong nagre-review noong lahat ng mga statements nila as to whether it's allowable—if I may use that term—na puwede pong i-release. So, iyon lang...iyon lang, Mr. Chair. I don't know as well why the officials of the OVP are barred from sending directly to the Committee because that's also an avenue that they have. They're given the contact details, the e-mail address of the Committee as well. So, they could have easily sent it directly, Mr. Chair. But I just wanted to highlight that, Mr. Chair, before I move on to my questions.

Atty. Sanchez, given that you've manifested to the Committee that you've drafted your statement word for word, I would like to ask specific questions on some of the statements that you made.

MS. SANCHEZ. Yes.

REP. M. A. B. SUANSING. The first...the first point that I would like to quote was your statement saying, "For the years 2022 and 2023, the OVP has received unmodified or unqualified opinions in COA's Annual Audit Report. An unmodified or unqualified opinion is considered as the best rating given by COA." So, ang tanong ko po, siguro, Atty. Sanchez, what is your understanding of what it means when COA issues an unmodified or unqualified opinion?

MS. SANCHEZ. Your Honor, Mr. Chair, my understanding is that the unmodified or unqualified opinion means that the audited financial statements present fairly in all material respects the financial position of the agency.

REP. M. A. B. SUANSING. My next question is, what is your basis for saying that, "This is considered as the best rating given by the COA"?

MS. SANCHEZ. Your Honor, because there are three audit opinions which are usually issued by the Commission on Audit. The first is the unmodified opinion, the next is the qualified opinion, and the last is the adverse opinion.

REP. M. A. B. SUANSING. Thank you, Atty. Sanchez.

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May I…to maybe rebut some of the points that you noted, may I request the ComSec to please flash the statement released by COA themselves. Essentially, a statement saying that highest…the highest COA rating or COA audit rating is not an unmodified opinion. So, let me read specific answers or clarifications issued by COA. I would like to first highlight the third paragraph, which is their definition of what an unmodified opinion is or unqualified opinion, which is, "issued when the auditor concludes that the financial statements are prepared, in all material respects, in accordance with applicable financial reporting framework."

The next that I would like to highlight is in the first paragraph, "an audit opinion should not be viewed as a rating score or grade with ranking of lowest to highest".

I would like to move for my…to my next slide, if the ComSec may please show that. It has the different types of audits. It has your financial audit, your performance audit and the compliance audit. So, I would just like to create a delineation among the three different audits that COA does.

Here, Atty. Sanchez, I just wanted to align on the terms before we move further in our discussion. COA does three types of audit. So, there is a financial audit, which, as you said, pertains only on the alignment of whatever documents you submit, their alignment to the IPSAS and the PFRS. So, it's essentially really making sure na numbers-to-numbers, balanse lahat. Tama po ba iyon? Per account compliance with accounting…accounting standards, iyon lang po iyong tinitingnan doon.

MS. SANCHEZ. Your Honor, from my understanding is that, it also means that the financial statements are accurate or present fairly what is the real position of the financial status of the agency, Your Honor.

REP. M. A. B. SUANSING. But it's looking just at the numbers, right? You're not looking at the nature of the disbursements. You're not looking at compliance with laws and guidelines like department orders, memorandums, *et cetera*…memoranda.

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. Because that's where you're performance audit comes in, which looks at whether the programs are in accordance with principles of economy, efficiency and effectiveness and the compliance audit which looks at whether the disbursement or the nature of the expenses are compliant with laws, rules and regulations. So, I just want it to align on those before we move forward.

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So, may I come back to that COA statement, please, ComSec. So, I just wanted to highlight on paragraph 4 that, "It is important to note that the financial statements represent only a facet of the agency and an audit opinion does not provide any conclusions on the agency's level of compliance with laws, rules and regulations, or..."—as we mentioned—"...in terms of the level of economy, efficiency and effectiveness."

So, Ms. Sanchez, siguro, iyon lang po, I would like to caution lang in terms of...because, as we read your statement, I believe what you were implying is since we are...since COA issued an unmodified or unqualified opinion to the OVP, the...what you are implying in your statement is there are no irregularities. We've been rated by COA as...we've been given the highest rating by COA. So, iyon lang po. I just wanted to reiterate that. Because I've seen also some of the discussions outside of the Committee. It seems like some of them want to assert that since the OVP was issued an unmodified opinion and unqualified opinion, there is no room for irregularities or there probably are no irregularities. But, here, I just want to reiterate that having an unmodified or unqualified opinion does not preclude the OVP from having irregularities from the standpoint of the nature of the disbursements, whether these disbursements are legal, whether the intended beneficiaries were actually given the welfare programs, *et cetera.*

So, iyon lang po. I just wanted to caution in terms of very liberally using that unmodified opinion as kind of a shield from us doing a lot of the scrutiny in terms of the specific nature of the disbursement. So, iyon lang po, Atty. Sanchez.

Okay. Mr. Chair, I would like to move to the next part of the statement, which I would like to ask Atty. Sanchez on, "In addition, since July 2022, the OVP has not received any Notice of Disallowance nor suspension on the transactions covering the reported beneficiaries and strategic partners". So, I would just like to ask, what do you mean by the statement?

MS. SANCHEZ. Your Honor, if I may continue the statement, "In addition, since July 2022, the OVP has not received any Notice of Disallowance nor suspension on the transactions covering the reported beneficiaries and strategic partners, which are the topics of Privilege Speech No. 379". Your Honor, I am referring to the Privilege Speech delivered by Hon. Rolando Valeriano of the 2nd District of Manila wherein he mentioned that there were unverified claims on the number and concentration in terms of location of the beneficiaries of the OVP programs and projects and the number of OVP strategic partners. Your Honor, the numbers that were cited in the Privilege Speech of Hon. Roland

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Valeriano are all included in our report to the DBM and COA. Those numbers correlate to the regular fund of the agency. So, in terms of the regular fund of the agency, we did not receive any Notice of Disallowance nor suspension since July 2022 up to the present, Your Honor.

REP. M. A. B. SUANSING. But are you aware of the AOMs—the Audit Order Memoranda—that have been issued by COA to the OVP pertaining to regular funds?

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. May you, please, let us know how many AOMs have been issued to the OVP, specifically pertaining to regular funds? Kasi alam naman po natin, with regard to confidential funds here are...there have already been three AOMs and one Notice of Disallowance for the confidential funds. But it was revealed to us by COA just during the previous hearing that they are also AOMs. And actually...

(MR. ALVIN ANTHONY F. RABULAN TOOK OVER)

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REP. M. A. B. SUANSING. (Continuing)...And, actually some of the AOMs pertain to welfare programs. That's why I want to also highlight the statement of yours, Atty. Sanchez, because Mr. Tomawis, in the previous hearing said there is about a hund...there are like a hundred seventy million pesos in question under the AOM for the regular fund pertaining to welfare programs, in particular.

MS. SANCHEZ. Yes, Your Honor, Mr. Chair. Thank you, for that clarification, Your Honor. We have around 14 AOMs. But the item that was mentioned earlier which is 174 million on welfare goods, I think, the auditor was able to clarify that it was a matter of a recommendation to improve internal controls. But there is nothing that is missing or unaccounted for.

REP. M. A. B. SUANSING. Mr. Chair, I would just like to flag that 14 AOMs, 14 Audit Order Memoranda issued to the OVP pertaining to regular funds since July 2022 up to present.

MS. SANCHEZ. That is only for...

REP. M. A. B. SUANSING. End of 2023.

MS. SANCHEZ. ...2023. Yes.

REP. M. A. B. SUANSING. Opo. Siguro po kasi it seems to us like you are cherry picking in terms of your statement because if there are 14 AOMs, for someone who is not familiar with the extent of the AOMs and the NDs issued by COA to the OVP, magmumukha po kasi na mukhang walang NDs and AOMs. Kaya iyon lang po. It's the way that the statement is worded. Because welfare programs in general, some of the welfare programs have been subjected to the AOM.

MS. SANCHEZ. Yes. That is correct, Mr. Chair, Your Honor. But, as mentioned, there is no disallowance on the welfare goods, Your Honor, because nothing is missing. Because if the items are missing, then, we would not be able to get an unmodified opinion, Your Honor.

REP. M. A. B. SUANSING. Actually po, Mr. Chair, medyo alarming po iyong flinag *(flag)* ni Mr. Tomawis during our previous hearing that what was actually missing for some of the welfare programs were the distribution lists or the list of beneficiaries for some of the programs. He mentioned two; Disaster Operations, I believe and PagbaBAGo Program. So, iyon po. COA na mismo iyong nagsabi, Atty. Sanchez, na mayroong deficiencies po in terms of the list of beneficiaries.

MS. SANCHEZ. Mr. Chair, maybe we can refer to the Annual Audit Report for 2023 wherein it states that only the post activity report, which is a summary of the activity was lacking, Your Honor.

REP. M. A. B. SUANSING. Mr. Chair, perhaps in the next hearing maganda po kung mapaghaharap po natin si Atty. Sanchez at Mr. Tomawis, kasi po COA themselves

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were the ones who said that there were deficiencies in terms of the distribution lists because of the internal guidelines of the OVP. Sabi nila for some of the programs, the OVP did not require distribution lists to be created for some of the programs. And that's why there was no distribution list submitted. So, siguro po pagharapin nalang namin kayo ng COA. Dahil COA na po mismo iyong nagsabi that there are deficiencies in that area.

Mr. Chair, I would like to...next, move to a...like a follow-up question to what Cong. Jil asked. Given your position, Atty. Sanchez, you're the Director of Admin and Financial Services, to what extent are you involved in audit proceedings?

MS. SANCHEZ. In audit proceedings, Your Honor, I am involved in the review and finalization of Annual Audit Memoranda... ah, reply to AOMs, Your Honor.

REP. M. A. B. SUANSING. Pero kanina po sinabi ninyo po kay Cong. Jil na hindi po kayo iyong nag-reply doon sa AOM. So, you are not privy to a particular information that Cong. Jil was asking for earlier.

MS. SANCHEZ. Again, Your Honor, I am only involved in the regular fund but not in the confidential funds, Your Honor.

REP. M. A. B. SUANSING. So, who's handling the response to the AOMs and the NDs...the AOMs on the side of the confidential funds.

MS. SANCHEZ. Your Honor, I have no personal knowledge, Your Honor, but from what I know it should be the persons indicated in the AOM. So, it would be the Special Disbursing Officer and probably the head of agency. But I have no personal information, Your Honor.

REP. M. A. B. SUANSING. So, you are saying, Atty. Sanchez, that within the OVP, the only two people who can give clarifications with regard to the disbursements of the confidential funds are Ms. Gina Acosta and the Vice-President herself, just the two of them?

MS. SANCHEZ. They are the only person that I would presume to have knowledge about the matter, Your Honor.

REP. M. A. B. SUANSING. Thank you very much.

Mr. Chair, before I move to the next point, I would like to emphasize that these unqualified or unmodified opinions do not bar us from our present inquiry just because the issue...the COA issued this does not mean there is no malfeasance, misfeasance or nonfeasance. If at all, these unqualified or unmodified opinions by the COA, merely indicate that the financial statements in material respects are in accordance with financial reporting standards. But such as the nature of fraud or criminal conduct, they normally appear in order until one takes a closer look. At face value, everything seems to be in order but upon closer scrutiny, that's where you see the possible irregularities.

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And this is precisely what we are doing, to see if the numbers presented by the OVP, though following accounting standards does not mean they are compliant with existing regulations and laws with regard to the use of the fund.

So, Mr. Chair, we just like to move to my next topic.

Ms. Sanchez, as Director of Financial and Administrative Services, to what extent are you involved in the funding and operations of satellite offices?

MS. SANCHEZ. Mr. Chair, I am involved in the...I supervise the operation of the Budget Division, so in terms of preparation of the budget; and as well as in terms of the General Services Division, the logistics aspect for the operations of the satellite offices; and I am also supervising the Human Resource Development Division, so that would be the in terms of the personnel requirements of the satellite offices; as well as the Accounting and Cash Division, so for financial requirements of the Satellite Offices Division, Your Honor.

REP. M. A. B. SUANSING. Thank you very much, Attorney. So, does that mean that you were involved when the satellite offices were first planned, when they were brainstorming about the establishment of satellite offices? Cause you're involved in the budget, the budgeting for the SO. So, were you there when they were first planning the establishments of...establishment of the satellite offices?

MS. SANCHEZ. Mr. Chair, Your Honor, I am not with the OVP yet at that time.

REP. M. A. B. SUANSING. Mr. Teñido, if I may ask you, because you've been with the OVP even before 2022, right?

MR. TEÑIDO. Yes, Mr. Chair.

REP. M. A. B. SUANSING. And as part of the budget team, were you there when this first discussion of the satellite offices were done?

MR. TEÑIDO. Yes, Mr. Chair.

REP. M. A. B. SUANSING. So, perhaps I may direct my question to you, Mr. Teñido. What was the basis for the establishment of satellite offices?

MR. TEÑIDO. It was upon the instruction of the top management that the OVP services will be extended to certain areas nationwide, Mr. Chair.

REP. M. A. B. SUANSING. When was the first satellite office opened?

MR. TEÑIDO. I have no definite date of which satellite offices and when they went open.

REP. M. A. B. SUANSING. Just the month.

MR. TEÑIDO. I think, there's...there are certain satellite offices that opened in July 2022.

REP. M. A. B. SUANSING. So, as soon as...

MR. TEÑIDO. Yes.

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REP. M. A. B. SUANSING. ...VP Sara assumed...

MR. TEÑIDO. Yes.

REP. M. A. B. SUANSING. ...right? Assumed her tenure.

Mr. Teñido, were you part of the budget process for the GAA 2022 for the OVP?

MR. TEÑIDO. Sorry, Mr. Chair. For the Fiscal Year 2022?

REP. M. A. B. SUANSING. Fiscal Year 2022...

MR. TEÑIDO. Yes, Mr. Chair.

REP. M. A. B. SUANSING. ...which was done in 2021.

MR. TEÑIDO. Yes, Mr. Chair.

REP. M. A. B. SUANSING. Is there a line item in the 2022 GAA for satellite offices?

MR. TEÑIDO. There is no explicit or line item in 2022 GAA as planned during 2021.

REP. M. A. B. SUANSING. Exactly, because satellite offices were not yet in existence.

MR. TEÑIDO. Yes, Mr. hair.

REP. M. A. B. SUANSING. So, my next question is, where were the funds for the operation of satellite offices for 2022 sourced? Dahil wala po siya sa GAA 2022, so saan po kinuha iyong pondo para sa satellite offices ng 2022?

MR. TEÑIDO. The operations for satellite offices opened in 2022 was sourced also under the FY 2020...2022 GAA of the OVP.

REP. M. A. B. SUANSING. Under which line item, Mr. Teñido?

MR. TEÑIDO. That is under the Good Governance Program.

REP. M. A. B. SUANSING. Good Governance Program. Was...were there...because there should be specific...there should be a process...

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REP. M. A. B. SUANSING. (Continuing)...a process, right, for having it approved to use the funds specifically allocated for a different program... for a different program. So, was that transfer approved?

MR. TEÑIDO. There were no transfers, Ma'am, during that time. Because under Good Governance Program, it basically covers all the social services, the MAP. Just that we have to extend it, so we created... The... The OVP during 2022 created satellite offices just to extend the services of the OVP.

REP. M. A. B. SUANSING. So, it's under the good government program?

MR. TEÑIDO. Yes, Ma'am.

REP. M. A. B. SUANSING. Okay.

I could direct this question...I'm not sure who has the best knowledge of this, but probably Attorney Sanchez, since you're handling the budgeting and the funding for the satellite offices. Throughout the deliberations, we noticed that what COA kept on saying is that the substantial... actually, sometimes the five-fold increase in some of the budget items can be attributed to the satellite offices, the establishment of satellite offices. COA was describing to us last time that the increase in travel expenses were due to the establishment of satellite offices. The additional 60 million in rentals were also attributed to the satellite offices. Even the increase in professional services were attributed to the establishment of satellite offices. So, actually, that made the Committee very curious. How much are we spending in total across the different expense categories towards the satellite offices? So, all-in po—that includes the rent, the supplies, the travel, the personnel—because it seems to be eating up a lot, a huge chunk of the OVP budget. Please give that to us for years 2022, 2023, and 2024. Would you be able to share that information now?

MS. SANCHEZ. Your Honor, we have the available... the information. May I refer to our Budget Analyst, Ms. Edelyn.

REP. M. A. B. SUANSING. Ms. Rabago.

MS. RABAGO. Good afternoon, Mr. Chair. For 2023, actual utilization for the satellite offices would be 1.026 billion pesos. And for 2024, as of October 2024, that would be 893.36 million pesos.

REP. M. A. B. SUANSING. I just wanted to clarify that 1 billion... 1.02 billion...

MS. RABAGO. Yes.

REP. M. A. B. SUANSING. ...in 2023. And in 2024?

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MS. RABAGO. Eight hundred ninety-three point thirty-six million, Your Honor.

REP. M. A. B. SUANSING. Eight hundred...

MS. RABAGO. Eight hundred ninety-three point thirty-six million, Your Honor.

REP. M. A. B. SUANSING. Do you have the figures for 2022?

MS. RABAGO. Unfortunately, Mr. Chair, I don't have the details for 2022.

REP. M. A. B. SUANSING. I'm trying to pull up the... the budget of the OVP. This seems to be... If I'm not mistaken, this is taking up...

Mr. Chair, just looking at it, it seems to be occupying 60 percent of the OVP budget but I... I just need to quickly check.

ComSec, would you happen to have my presentation from the previous hearing?

Ah, I have it now.

So, Mr. Chair, for the year 2023, the OVP budget, uhm... Mr. Chair, I'll go back to that point. Mr. Chair, I'll come back to that point. I'll just have to very quickly compute the percentage that the satellite offices are taking up.

THE CHAIRPERSON. Yes, please. But before you...

REP. M. A. B. SUANSING. Yeah.

THE CHAIRPERSON. ...continue, may I recognize the Honorable France Castro?

Please continue.

REP. M. A. B. SUANSING. Mr. Chair, I'll come back to that later, but the figures are very staggering, 1 billion for 2023, and probably going to hit another billion in 2024. I'll come back to that, Mr. Chair. We'll just very quickly compute the figures.

Let me move, Mr. Chair, to my next topic. I would just like to ask Attorney Sanchez again on a different topic.

Attorney Sanchez, what is the largest check amount that you have signed off on during your tenure with the OVP?

MS. SANCHEZ. Mr. Chair, Your Honor, it would be the 125 million pesos for Confidential Fund, Your Honor.

REP. M. A. B. SUANSING. So, four times.

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. Four checks worth hundred and twenty-five million.

MS. SANCHEZ. Yes, Your Honor.

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REP. M. A. B. SUANSING. If we may please show, ComSec, the four checks. So, this is the first check, dated December 20, 2022. *(Image of the check was shown on the screen)* Is that correct?

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. That's the first. The second check, dated January 31, 2023 *(Image of the check was shown on the screen)*.

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. The third check, April 18, 2023. *(Image of the check was shown on the screen)*

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. And the last check being July 13, 2023. *(Image of the check was shown on the screen)*

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. Thank you, Attorney Sanchez.

Attorney Sanchez, given the large amount and given that these are the highest you've ever signed in terms of the amount, did you hesitate at all to sign these checks?

MS. SANCHEZ. Your Honor, I did the usual process, which is to review the documents attached to the check, the supporting documents for payment, Your Honor.

REP. M. A. B. SUANSING. So, can you say that you performed the necessary diligence checks prior to signing these?

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. Kasi kung iyon iyong pinakamalaking mga tseke na pinirmahan mo sa buong... siguro buong career niyo po ba, tama po ba, bukod sa OVP...

MS. SANCHEZ. Yes, Your Honor.

REP. M. A. B. SUANSING. ...siguro po mas magiging maingat po kayo. Opo. Kasi po, napansin ko lang po, kung titingnan po natin, kung ibabangga po natin iyong date ng tseke doon po sa dis... disbursement voucher, parang napakabilis po kasi ng processing. So, iyon po siguro, kaya doon ko po siguro tatanungin kung nagawa po talaga iyong necessary diligence check.

So, let me first go to the first disbur... disbursement voucher.

If you may please show that, ComSec.

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While we're waiting for it to be flashed, the first dis… disbursement voucher was prepared in December 20. And by the end of the same day, the disbursement voucher was not only certified, verified, and approved, but in fact, the correspondent checks… the correspondent check amounting to 125 million was already issued and received by the Special Disbursement Officer by the end of the day. So, siguro po, ComSec, if we may please show the disbursement voucher.

Thank you very much, ComSec. *(Image of the disbursement voucher was shown on the screen)*

Here, siguro po kaya ako po tinatanong iyong bilis noong pag-process po noong disbursement voucher, makikita po kasi natin dito there are a lot of different signatories, a lot of different divisions that it would have to pass through for that check to be issued. So, as you can see here, it has to be signed by the Vice President. And then after that, it has to be certified by the Chief Accountant. And then, it has to go to the approval of Mr. Ortonio. And then, thereafter, at saka lang po pupunta sa Cash Division. And then after that, that's when you and Mr. Ortonio would have to sign it. So, if you would count it, you have one, two, three, four… three… sorry, four departments that it would have to go through if that's correct. So, it's the Vice President...

(MR. JEFFREY C. OVILLA TOOK OVER)

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REP. M. A. B. SUANSING. (Continuing)...the Vice President, it's the Office of the Chief Accountant, it's the office of Mr. Ortonio, it's the Cash Division Office, before the two of you sign it. And then, only then would the check be released, and it would have to be received by the Special Disbursing Officer.

So, siguro po, given that more than five people have to sign off on this document, maybe that's why we call in to question the speed by which the disbursement voucher was issued. It was issued on December 20. It went through four...at least four departments, at least five signatories, five to six signatories, and the check was created and signed and released and received all by the end of one day.

So, siguro po, given the staggering amount, this is a hundred twenty-five million pesos we are talking about, Mr. Chair, in check form, may you please explain why it was done so expeditiously? Why there...why there seems to be a rush?

Before you answer, Atty. Sanchez, let me go back and give the case in point for the second disbursement voucher. This one is dated January 31. Same thing—it went through four different depart...four different departments, five to six different signatories, and all of that was done—the disbursement voucher was created, certified, approved, sent to the Cash Division, check issued, check signed, check released, check received all in one day on January 31. So, two cases in point.

If I may pause here, Mr. Chair, and throw the question to Atty. Sanchez and Ms. Villadelrey, given that you are two of the signatories appearing in these two documents, bakit po ang bilis? One hundred twenty-five million pesos po iyong amount na pinag-uusapan natin, pero para pong nagmamadali na ma-issue iyong tseke...ah, magawa iyong disbursement voucher, ma-issue iyong tseke, ma-receive ng Special Disbursement Officer lahat po sa iisang araw?

MS. SANCHEZ. Mr. Chair, may I be recognized? Mr. Chair.

THE CHAIRPERSON. Yes, Atty. Sanchez.

MS. SANCHEZ. Thank you, Mr. Chair.

Mr. Chair, it is actually a common process for the OVP to process cash advances within one day. We prioritize cash advances as a...generally, Mr. Chair.

The way our office is organized, Mr. Chair, is that the Accounting and Cash Divisions are close to each other, so it would not take several hours for the documents to reach the Cash Division, and my office is also just near the Cash Division and the Accounting Divisions, Your Honor, because they are under my office.

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So, in terms of processing, there is nothing unusual for us to be able to process cash advances within one day. In fact, in our Citizen's Charter, for internal services for cash advances, our usual turnaround time is one to two days, Your Honor.

Also, for the cash advances...cash advance for confidential funds, there are just a few documentary requirements which are required to be attached to the disbursement voucher, and so it's not very difficult to browse through the documentary requirements, Your Honor.

REP. M. A. B. SUANSING. Thank you, Atty. Sanchez.

May we please pose the same question, Mr. Chair, to Ms. Villadelrey. Before you certified it po, what...

THE CHAIRPERSON. Ms. Villadelrey, you are recognized.

MS. VILLADELREY. If I may, Your Honor?

REP. M. A. B. SUANSING. ...what diligence checks did you do?

MS. VILLADELREY. Ah, upon receipt of the disbursement voucher for the issuance of confidential fund, Your Honor, we check the required documents under the joint circular. If it is complete, we already...If it is complete with all the documentary requirements, we...I certify the portion, which is the Annex "B" of the DV. I'll check the cash availability and check the completion of the supporting documents. And then, after that, we transfer it to the Cash Division.

REP. M. A. B. SUANSING. Mr. Chair, siguro iyon po. Given the amount in question, sinabi po ni Atty. Sanchez, one to two days, kaya po bakit tinapos lahat ng one day? Tinitingnan ko po iyong...The dates would be December 20, 2023, that's a Thursday. Kaya po ba hinabol dahil...ah, sorry, that's a Wednesday. Kaya po ba hinabol kasi gusto ninyo pong ma-encash by the end of the week? Ganoon po ba iyon?

MS. SANCHEZ. Mr. Chair, hindi naman po sa hinabol, but as a matter, of course, kapag may cash advance po, we really, generally, prioritize, Mr. Chair.

REP. M. A. B. SUANSING. Okay, Mr. Chair. Thank you.

If I may move, Mr. Chair, to the fourth disbursement voucher, if ComSec may please show us? Siguro po, here, apart from the speed by which it was issued, perhaps the most glaring...ah, the fourth one po. Thank you. Thank you, ComSec. Perhaps the most glaring thing that I would like to note here is, at the bottom left corner, you would see that there is no signature under the receipt of payment.

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Meaning, the special disbursing officer did not sign that and attest that she received the check.

So, siguro po tatanungin ko po, Mr. Chair, ang OVP, paano po nangyari ito? Isang 125 million pesos na tseke na hinayaan lang po natin na makalusot iyong disbursement voucher nang hindi po pumipirma iyong Special Disbursing Officer na nagpapatunay na natanggap niya po iyong tseke para sa 125 million pesos. Sino po ang nagtsi-check ng mga disbursement vouchers natin?

Ms. Villadelrey, as the Accountant, is that not under your purview to make sure that these documents are in order po?

MS. VILLADELREY. Ah, Your Honor, for the Annex "E", which is the receipt of the check, it is the responsibility of the Cash Division for the issuance of the check to the SDO or to the payee of the disbursement voucher.

REP. M. A. B. SUANSING. Opo. Ms. Villadelrey, hindi po siya sa issuance of the check; it's the receipt. It's the attestation that the receipt…ah, the check has been received by the SDO.

MS. VILLADELREY. Yes, Your Honor, the receipt of the check. Once receipt ng check po, the claimant or the payee of the DV should sign at the bottom part of the disbursement voucher. So, it is the responsibility of the other division who handle the issuance of check.

THE CHAIRPERSON. Ma'am, paki lapit ninyo po, hindi po kayo marinig.

MS. VILLADELREY. Yes. Again, Your Honor, it is the responsibility of the division, who issued the check to the claimant, to have it signed.

REP. M. A. B. SUANSING. Wala pong nakapansin na hindi po na-receive ng SDO, hindi po rinesib *(receive)* ng SDO iyong disbursement voucher?

MS. VILLADELREY. No, I…

REP. M. A. B. SUANSING. Iyon lang po, Mr. Chair. Perhaps the correct person to ask is not here with us today. So, maybe what I would like to highlight here is there may be some lapses in the internal controls of the Office of the Vice President if the release of the checks, in terms of looking at the disbursement vouchers and the checks, are not scrutinized thoroughly by the OVP. Ganito po kalaki…As described by Atty. Sanchez, this is the biggest check she has ever signed off on, pero may problema po sa internal controls dahil po nakakalusot iyong mga ganitong lapses na hindi po naa-attest ng SDO na nare-release po iyong funds.

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Last question po before I move on. May I ask po...Oh, sorry, Cash Division, naisip ko lang po, Ma'am, hindi po ba under ninyo po iyon, iyong Cash Division, Atty. Sanchez? So, actually, you're here to be able to answer that question.

THE CHAIRPERSON. Atty. Sanchez.

REP. M. A. B. SUANSING. That should be your responsibility to check po.

MS. SANCHEZ. Yes, Mr. Chair.

Mr. Chair, when I checked, there are three copies of the disbursement vouchers, and only one copy is required to be signed by the SDO. The copy that was signed by the SDO was actually retained by the Accounting Division, and it may not be the same copy that was forwarded to the resident auditor. Nonetheless, we have a copy that was actually signed by the Special Disbursing Officer.

In addition, Mr. Chair, as to the matter of internal controls, in addition to the disbursement voucher, there is an additional control in place that requires the Special Disbursing Officer to sign the warrant of checks that...There is a logbook...

(MS. ERLINDA C. REYES TOOK OVER)

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MS. SANCHEZ. (Continuing)...logbook of the checks that is released by the Cash Division. And as far as I am aware, Your Honor, she was able to sign that warrant of checks.

REP. M. A. B. SUANSING. Given that that's the copy that was furnished to COA, may you please furnish this Committee with that copy that you're talking about that's signed by...is that Ms. Acosta who signed it?

MS. SANCHEZ. Yes, Mr. Chair.

REP. M. A. B. SUANSING. Please, furnish a copy to this Committee.

MS. SANCHEZ. We will do, Mr. Chair.

REP. M. A. B. SUANSING. And, Mr. Chair, since Ms. Acosta is not here, I would like to ask our resource persons present here. Would anyone know whether the SDO has a bond? Meaning, Ms. Acosta has a bond, and if yes, how much? Ms. Villadelrey, as the chief accountant, would you know?

MS. VILLADELREY. Your Honor, for the bond of Ms. Acosta, the amount of bond is 8 million for three years, Your Honor. It was released through a confirmation letter on November 3, 2022.

REP. M. A. B. SUANSING. 8 million...8 million lang po iyong bond niya?

MS. VILLADELREY. That is the amount of bond for a maximum amount of accountability, 500 million, Your Honor.

REP. M. A. B. SUANSING. Mr. Chair, do we know what Salary Grade Ms. Acosta is? Would anyone know on the part of the OVP? Kasi ang laki po noong...500 million po iyong maximum...

MS. VILLADELREY. Your Honor, her position and...at Salary Grade 24...24, Your Honor.

REP. M. A. B. SUANSING. Mr. Chair, for someone who is occupying a Salary Grade 24 position, 500 million pesos seems to be a huge amount to give in terms of accountability, Mr. Chair. So, we just wanted to note that, Mr. Chair, for the record of the Committee, that Ms. Gina Acosta actually can disburse up to 500 million pesos as the special disbursing officer.

And, Mr. Chair, balik lang po ako before I end doon po sa kanina with regard to the satellite offices. So, if we compute what percentage the satellite offices take up in terms of the expenses of the OVP. So, for 2023, the total GAA amount, the total budget for the OVP is 2.3 billion pesos. And since 1.02 billion pesos po iyong expenses associated with the satellite offices, it takes up 45 percent of the total expenses of the OVP. For the year 2024, so far, out of the 1.9 billion pesos funds of

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the OVP, the 893 million expenses for the OVP translates to 48 percent of the total budget of the OVP, Mr. Chair. So, napakalaki po talaga. Halos kalahati ng OVP budget iyong tine-take up ng satellite offices. So, we really need to do a close scrutiny as to whether the satellite offices are necessary and whether they actually contribute to the OVP in terms of fulfilling its mandate, Mr. Chair.

So, Mr. Chair, those are my questions po. Thank you very much, Ms. Villadelrey, Atty. Sanchez, Mr. Teñido and Ms. Rabago for allowing me to propound questions.

Thank you very much, Mr. Chair.

THE CHAIRPERSON. Yes. The next interpellator is Congressman Acidre. You're recognized.

REP. ACIDRE. Magandang hapon po, Mr. Chair. Nais ko pong magtanong kay Atty. Rosalynne Sanchez. Good afternoon, Ma'am.

MS. SANCHEZ. Yes po.

REP. ACIDRE. Atty. Sanchez, ikaw po ay isa sa mga approving officers ng fidelity bonds, tama po ba?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACIDRE. Kailan po kayo naging approving officer ng mga fidelity bonds?

MS. SANCHEZ. Mr. Chair, from my assumption to office, Mr. Chair.

REP. ACIDRE. Kailan po ito?

MS. SANCHEZ. July 19, 2022, Mr. Chair.

REP. ACIDRE. 2022. Atty. Sanchez, siguro pamilyar naman kayo sa purpose ng fidelity bonds, 'no? Ito ay to ensure against losses, shortages, defalcation by officers or employees accountable for public funds, tama po?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACIDRE. In other words, ito ay to ensure na gagamitin sa tama at sa mga specified purposes lamang iyong public funds na in-assign sa kanya, tama po ba?

MS. SANCHEZ. Yes, Mr. Chair.

REP. ACIDRE. So, Atty. Sanchez, can you walk us through the process of the fidelity bonds? Who determines po ba the value of the fidelity bond to be posted by the concerned government employee?

MS. SANCHEZ. That will be based, Your Honor, on the amount of the cash advance that would be issued to the special disbursing officer, Your Honor.

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REP. ACIDRE. So, wala pong guidelines, formula na...Mayroon pong guidelines, formula na sinusunod?

MS. SANCHEZ. May matrix po iyong Bureau of Treasury, Your Honor. And we provide them with a copy of the special order of the disbursing officer, Your Honor.

REP. ACIDRE. Okay. So, kung may amount na na sinet *(set)* for the fidelity bond, ano pong sunod? Iyong government employee concerned would post the bond?

MS. SANCHEZ. That would be the agency, Your Honor, through the Accounting Division.

REP. ACIDRE. Pero manggagaling po iyong pera sa...

MS. SANCHEZ. Sa agency, Your Honor.

REP. ACIDRE. Sa agency.

MS. SANCHEZ. Yes, that's correct, Your Honor.

REP. ACIDRE. Hindi sa empleyado?

MS. SANCHEZ. Hindi po.

REP. ACIDRE. So, paano po sila napo-post, check of cash? Paano iyon?

MS. SANCHEZ. As far as I recall, Your Honor, for the payments to the Bureau of Treasury, it is through LDDAP-ADA. So, fund transfer, Your Honor, to the Bureau of Treasury.

REP. ACIDRE. Pero sino iyong tumatanggap ng bond, si Treasury?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. From you?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. In this case, for all the accountable officers, kayo iyong nag-post ng bond?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. Kayo iyong nag-transfer ng bond sa Treasury?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. So, kapag natanggap ng Treasury iyong bond, anong ginagawa dito? Naka...pinapasok ba ito sa isang account at kaninong bank account? Separate ba ito sa regular account ng agency or doon sa Treasury mismo?

MS. SANCHEZ. Sa Treasury iyon mismo, Mr. Chair.

REP. ACIDRE. In a separate...in a separate account?

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MS. SANCHEZ. I have no information, Your Honor, kung anong...that passes the Bureau of Treasury.

REP. ACIDRE. So, how long will the bond be held by the Bureau of Treasury? Hanggang kailan hawak ng Treasury iyong bond?

MS. SANCHEZ. The bond is for a certain period, Your Honor. And for Ms. Acosta, the bond was for a period of three years.

REP. ACIDRE. Okay. So, paano po siya...anong mangyayari after three years, naibabalik sa agency?

MS. SANCHEZ. Wala na po, Your Honor.

REP. ACIDRE. So, nawawala lang iyong bond?

MS. SANCHEZ. Yes, the bond is in the nature of a premium payment, para po siyang insurance, Your Honor.

REP. ACIDRE. Okay. So, iyon ay nasa Treasury na?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. So, hindi siya ire-release balik sa agency na pinanggalingan?

MS. SANCHEZ. No, Your Honor.

REP. ACIDRE. Okay. So, ang...kanina na-mention na si Ms. Gina Acosta, magkano nga po ang authority niya to release?

MS. SANCHEZ. 500 million, Your Honor.

REP. ACIDRE. Pero magkano ang bond niya?

MS. SANCHEZ. 8 million, Your Honor.

REP. ACIDRE. 8 million. Iyong 8 million na iyon, ang premium magkano?

MS. SANCHEZ. Your Honor, I will just confirm based on the documents, Your Honor. Your Honor, we will check the amount that we transferred to the Bureau of Treasury, Your Honor. If we can, Your Honor, may we just be allowed to submit a copy of the funding.

REP. ACIDRE. Mayroon ako ditong data, baka pareho tayo ng data. It's 360,000 ang binayaran na premium, bond premium.

MS. SANCHEZ. We will check, Your Honor, from our records.

REP. ACIDRE. In any case, Ma'am, do you confirm na ito ang nagbabayad hindi iyong empleyado, ang nagbabayad nito iyong agency?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. Is this the standard procedure po?

MS. SANCHEZ. Yes, Your Honor.

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REP. ACIDRE. So, base doon...kasi we have a similar case, no. In the SDO also for DEPED, Si Mr. Fajarda Edward, he has the maximum authority to withdraw cash in the maximum of 50 million. Tapos ang bond niya is 4 million lamang. Well, it's almost the same as with Ms. Gina Acosta. Hindi ba dapat proportionate ang bond sa cash advance na dapat puwede niyang ma-withdraw? Hindi ba dapat ganoon?

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. So, paanong ganito ang nangyari po kay Ms. Acosta at kay...sabihin na natin kay Edward Fajarda na wala pang one-fourth...

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REP. ACIDRE. (Continuing)...wala pang one-fourth iyong halaga ng bond niya sa total amount na may authority siya to withdraw.

MS. SANCHEZ. Your Honor, we just base it on the matrix provided by the Bureau of Treasury, Your Honor.

REP. ACIDRE. So, pwede kaya natin sabihin, Attorney Fajarda, Mr. Chair, na itong matrix na ito, sabihin na lang natin depending on your expert opinion having been in this position for quite some time, na dahil ganito ang matrix, hindi nagiging effective na deterrent iyong bond requirement especially for special disbursing officers. Kasi kung tutuusin, di ba, hindi naman ganoon kalaki iyong bond mo tapos ganoon kalaki iyong pera na hahawakan mo. Tama po? Would you agree with me?

MS. SANCHEZ. Your Honor, my understanding is that the purpose of the bond is to cover the liability or accountability of the Special Disbursing Officer in case there would be irregularities in the use of the fund, Your Honor.

REP. ACIDRE. Tama. I agree with you. Kaya nga kung titingnan natin, like for example, noong hearing, previous hearing na kasama iyong mga kaibigan natin mula sa AFP noon, na sinabi nila wala naman silang natanggap na pera from the YLS, pwede nating masabi na okay lang na hindi gamitin for public funds iyong pera kasi tutal hindi naman...dahil mababa naman iyong bond requirement, wala naman, technically, mawawala sa agency or ano man. Kaya ang chances ng technical malversation mas mataas kasi hindi nga effective deterrent iyong bond requirement para isipin ng mga tao na, especially for accountable officers na, "Huwag nating gawin ito kasi this is the bond requirement involved." Kasi kung titingnan mo kahit nga kanina pa, siguro the same observation ni Congresswoman Suansing, ano, napakalaki ng authority na cash advance tapos ang bond requirement 8 million lang? Iyong kay Mr. Fajardo 50 million, 4 million lang ang bond requirement. As the Head, Director for Accounting, don't you think that we need to increase the matrix for fidelity bond requirements so that it becomes more effective as a deterrent for malversation?

MS. SANCHEZ. Your Honor, as to that matter, I would submit to the wisdom of the Bureau of Treasury, Your Honor.

REP. ACIDRE. No, I mean, sa iyo, based on your experience. Don't you think there's a need to increase this so that...anyway, this is in kuwan naman, in aid of legislation, ano, so we can also propose it to the Bureau of Treasury later on to review the

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matrix for setting fidelity bonds, the fidelity bond requirement? Would you agree with me na sobrang baba ng ating hinihingi for fidelity bond requirement despite the amounts in consideration?

MS. SANCHEZ. I would agree, Your Honor.

REP. ACIDRE. Thank you. Thank you, Attorney.

Attorney, babalikan ko lang iyong statement mo kanina kasi medyo naintriga ako sa statement mo. How long have you been with OVP, since 2022, correct?

MS. SANCHEZ. July 19, 2022, Your Honor.

REP. ACIDRE. So, correct me if I'm wrong, iyong COA report, you mentioned kasi dito, for the years 2022 and 2023, the OVP has received unmodified or unqualified opinions in COA's annual audit reports. Correct me if I'm wrong, the 2022 COA report refer to expenditures incurred in 2021, tama po ba?

MS. SANCHEZ. Your Honor, I was referring to the 2022 annual audit report for the year 2022, Your Honor.

REP. ACIDRE. Okay. So, hindi siya audit report for 2022...audit report siya for expenses in 2022.

MS. SANCHEZ. Yes, Your Honor.

REP. ACIDRE. So itong...iyong 2020...hindi siya 2021, hindi siya COA report for 2021.

MS. SANCHEZ. No, Your Honor.

REP. ACIDRE. Merong isa dito na point na sinabi mo, "The COA evidence-based reports on the financial transparent...financial position of the OVP for the years 2022 and 2023 shows the OVP's commitment to transparency and accountability based on existing audit and accounting rules and regulations." Tanong ko po, bilang isang career official, don't you think that the ability of career officials to demonstrate or to realize their commitment would also depend on the willingness of the principal to enforce the same? Nakailang...nakailang VP na po kayo?

MS. SANCHEZ. Your Honor, I only joined the OVP during the term of Vice President Sara Duterte.

REP. ACIDRE. Si Ma'am Julieta po iyong pitong VPs.

MS. VILLADELREY. Yes, Your Honor.

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REP. ACIDRE. Ma'am, don't you think for this, as career officers, don't you think that despite your willingness to submit to accounting rules and regulations, malaki pa rin ang role ng principal, it really depends on the principal? In the end it depends on the willingness of the principal to enforce the same, having been a part of the OVP for the longest time?

MS. VILLADELREY. No, Your Honor, kasi ang processing po in compliance with existing rules and regulation under disbursement of fund is not based on the decision of the head of the agency, Your Honor.

REP. ACIDRE. But the decision to have confidential funds eventually is the decision of the principal, right?

MS. VILLADELREY. I think so, Your Honor.

REP. ACIDRE. In which case, previous Vice Presidents did not have or chose not to have access to confidential funds practically for the reason that it would have demonstrated more accountability and transparency if they use regular MOOE or other regular funds, tama po ba?

MS. VILLADELREY. Tama po.

REP. ACIDRE. And in this case, the decision of the Vice President to use confidential funds for items that could be considered under MOOE casts a doubt on the willingness of the principal to enforce accountability in her office. Tama po ba?

MS. VILLADELREY. Hindi ko po siya masasagot, Your Honor.

REP. ACIDRE. Pero sabihin na lang natin na kung gumamit na lang ng regular funds, regular fund sources for items na klarong-klaro naman pwedeng MOOE ang ginamit at hindi confidential funds, mas made-demonstrate natin ang sinasabing commitment natin to transparency and accountability.

MS. VILLADELREY. Yes, Your Honor.

REP. ACIDRE. Maraming salamat po.

THE CHAIRPERSON. Thank you, Congressman Acidre.

The next interpellator is Congresswoman France Castro.

REP. FRANCE L. CASTRO. Thank you, Mr. Chair.

Magandang hapon po sa ating mga resource persons.

Kanina kasi tinatanong ni Cong. Acidre, Mr. Chair, about kay Attorney Sanchez, July 2022 ka napasok po sa OVP. Saan po kayo galing?

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MS. SANCHEZ. I am from the Commission on Audit, Your Honor.

REP. F. L. CASTRO. Ah, okay. So, Commission on Audit. Thank you po.

Iyong first topic ko po, Mr. Chair, ay iyong tungkol doon sa pagba-budget. So, sa budget muna tayo. Noong 2022, involved ba kayo, Mr. Chair, sa ating dalawang ano sa budget, sa budgeting ng Office of the Vice President?

MR. TEÑIDO. Yes, Mr. Chair.

REP. F. L. CASTRO. Buo, noong 2022?

MR. TEÑIDO. Opo.

REP. F. L. CASTRO. Kailan kayo napasok po sa OVP?

MR. TEÑIDO. I have been with the OVP since 2014.

REP. F. L. CASTRO. Ah, okay. How about, Ma'am Edelyn?

MS. RABAGO. I have been with OVP since 2017, Ma'am.

REP. F. L. CASTRO. Okay. So, matagal na kayo sa OVP. So, na-involve kayo doon sa pagba-budget noong 2022 budget ng Office ng Vice President. Siyempre galing ito sa ano, sa 2021 na budgeting, di ba? Iyong 2022 budget naano iyan, ano...ginawa iyan ng 2021. Okay. So, iyong mga...So, ang ibig sabihin noon, Mr. Chair, doon sa budgeting na iyan, wala pang confidential funds noon?

MR. TEÑIDO. Wala po. During preparation ng FY 2022 budget on FY 2021, wala pong confidential funds.

REP. F. L. CASTRO. Okay. Thank you, Mr. Chair.

And then noong naging VP na si Vice President Duterte, Sara Duterte, noong July 1 at nag-request siya ng confidential funds for the Office of the Vice President, na-consult ba ang budget unit?

MR. TEÑIDO. Yes, Ma'am, we were consulted insofar as the preparation of the request letter is concerned.

REP. F. L. CASTRO. What request letter?

MR. TEÑIDO. During that time, Ma'am, iyong...

REP. F. L. CASTRO. Ah, iyong request letter to the Office of Vice...Office of President, ganoon ba iyon?

MR. TEÑIDO. To the DBM po, Mr. Chair.

REP. F. L. CASTRO. Ah, to the DBM. Okay. So...well, doon po sa preparation...

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REP. F. L. CASTRO. (Continuing)...doon po sa preparation ng letters, so siyempre nag-request ng budget 125 for confidential funds, pero alam ninyo po ano/saan gagamitin itong confidential funds as far as budget unit is concerned?

MR. TEÑIDO. Doon lang po siya sa activity na safe implementation of OVP programs and projects and confidence building.

REP. F. L. CASTRO. Pero that time ano po ba iyong mga nakalagay doon sa sulat? Kasi nakita ko naman iyong sulat ng request ng ano 'no ng Office of the Vice President to the DBM, iyong request ng budget for 125, iyong attached. Anu-ano nga iyong mga activities na iyon, can you enumerate, Mr. Chair?

MR. TEÑIDO. Wala ...Mr. Chair, doon po sa letter, can I just read the portion of the letter, Ma'am?

REP. F. L. CASTRO. Yeah, yeah.

MR. TEÑIDO. "Confidential Funds for and in consideration of the safe implementation of the various projects and activities under the good governance program in the conduct of official engagements and functional representation in international and domestic events as instructed by the President the CF amount of 250 million is hereby requested."

REP. F. L. CASTRO. Yeah, iyong 250 million ang request pero ang na-grant ay 125.

MR. TEÑIDO. That's correct po, Mr. Chair.

REP. F. L. CASTRO. Yes. Okay. Pero iyong mga...Mr. Chair, iyong mga projects and programs na iyon under... under iyong 125 million mga project pa ito which was conceptualized during the Vice President Robredo. Right? O mayroon siyang ipinasa, si Vice President Duterte na iba pang mga programs that would cover iyong confidential funds?

MR. TEÑIDO. Insofar as the projects, Ma'am, I think...I would say the projects of the then Vice President and the new Vice President during that time is almost similar. These are all social services—medical and burial, the livelihood, the disaster operations and the like.

REP. F. L. CASTRO. Yes. Okay. So ibig sabihin wala siyang idinagdag na programs aside from doon sa ...which was budgeted during the time ng 2021?

MR. TEÑIDO. Yes. And as far as I recall, Ma'am, wala naman pong unique or kakaiba na ginawa during the second period of 2021.

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REP. F. L. CASTRO. Yes. So, Mr. Chair, ang tanong ko lang…ang sunod na tanong ko, hindi ba kayo nagtaka kasi during the stint of the Vice President Robredo wala siyang confidential funds in implementing the various projects, 'no. Pero ito last quarter lang ay… last quarter na nga lang ay nag-ano pa, 'no, nag-request pa ng confidential funds. Did you not question it?

MR. TEÑIDO. No, Ma'am. However, in every implementation of programs part of the…to ensure the successful implementation is the peace and order or security. That's my, ano, personal opinion as Budget Officer.

REP. F. L. CASTRO. Yes. Oo, kung titingnan natin iyong security, peace and order, security. Magbigay ka nga ng example ng project noong panahon ni Vice President Robredo na sinasabi mo ay peace and order, security. Kasi katulad nito iyong program ng Vice President…ni VP Sara kahit na iyong sa Libreng Sakay or sa ano. Kasi dito sa Quezon City mas ano, 'no, massive iyong Libreng Sakay pero tingin ko naman hindi naman iyan ginamitan ng confidential fund ng LGU, 'no, through Mayor Belmonte. Pero ito magbigay ka nga ng example ng panahon ni Robredo, Mr. Chair, na sinasabi mo na kailangan ng peace and order. Pero hindi naman nagkaroon ng amount ng confidential funds para to implement it successfully.

MR. TEÑIDO. Well, during the time of Vice President, I'm not saying po na may component ng security or peace and order but heavily focused po sila talaga sa developmental works and partnership, hence nagkaroon po noon ng COVID operation ng…at the later part of her term.

REP. F. L. CASTRO. Yes. Okay. Tama. And siyempre alam naman natin iyong confidential funds, 'di ba, it's a fund na mag-ga-gather ng mga confidential information, di ba, kung sakali, at kung sakaling may problema sa security and others. Pero kung titingnan natin, Mr. Chair, malaking kaibahan talaga, 'no, na kung sakaling… kumbaga itong panahon ni Vice President Sara Duterte may ganito kalaki na confidential funds na ginamit doon sa program. So, would you know, ano kaya iyong…anu-anong mga programs dito o lahat ba ng programs ng OVP noong panahon ni Sara Duterte doon sa 125 anong mga programs doon iyong ginamitan ng confidential funds? Kasi sinasabi mo, Mr. Chair, sinasabi noong ating resource person na parehas lang naman 'no kung ano iyong project ni Vice President Robredo noon, noong 2022, iyon din naman iyong pinatupad ni Sara Duterte. So ano-ano dito iyong mga programs na ginamitan ng security and …

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MR. TEÑIDO. Apologies, Mr. Chair, but I have no knowledge po on the utilization of the confidential funds.

REP. F. L. CASTRO. Well, I beg to disagree, Mr. Chair. Hindi ko tinatanggap iyong sagot. Kasi Budget Officer ka, nag-request kayo ng letter for 250 million confidential funds, 125 iyong grinant (*grant*), Mr. Chair, pero dapat ang budget alam ninyo kung saan niya gagamitin iyong 125. Kasi, Mr. Chair, talagang dito kasi noong nagkaroon na ng audit, di ba, dinis-allow (*disallow*) iyong 73 million. So dapat ini-ensure ng Budget na iyong mga paggagamitan nito ay itemized at alam ninyo kung saan gagamitin. So, don't you think you are accountable to this? Kasi parang pinabayaan ninyo lang na mag-budget ng 125 na hindi ninyo naman alam saan gagamitin iyan. Kasi reward payment 10 million, disallowed. Payment for various goods 34.8 million, disallowed. Payment for reward and medicine 24.9 million, disallowed. So iyong mga 3 million for tables, computers and ano, disallowed. So bakit pinayagan ng budget unit ng OVP na may ganito na wala man lang justification?

MR. TEÑIDO. Ma'am, if I may, Mr. Chair. Iyong participation po ng Budget Division mahabang proseso po iyon, iyong pag-request ng CF, kung paanong nagkaroon ng cash advance hanggang ma-grant iyong cash advance, hanggang ma-utilize po siya and hanggang ma-liquidate.

REP. F. L. CASTRO. Hindi, ang pinag-uusapan lang natin iyong cover ng inyong responsibility as Budget. Kaya ang tanong ko sa Budget Unit ng Office of the Vice President, upon request...pag nag-request kayo may mga justification kayo, di ba, sa confidential funds. Ayan nakalagay kasi sa... Mr. Chair, sa JC kung ano...kung saan lang puwedeng gamitin iyong confidential funds at iyan ay nakaano, 'no, naka-itemize iyan talaga at strictly doon lang talaga gagamitin. Kahit na sinasabing for reward, for ...ano pa ba iyon, for buying of information, for other supplies, *et cetera*, dapat mayrong ano iyon, mayrong itemization.

MR. TEÑIDO. Ma'am, wala po siya, hindi po siya available at the time noong nag-request na po ng cash advance. Ang attachment na lang po nung request for the cash advance noong CF is the physical and financial plan which was also submitted to DBM during the time of request ng OVP to DBM.

REP. F. L. CASTRO. So don't you think it's ano, it's anomalous or error, or talagang sa umpisa pa lang ng pagre-request ninyo ng confidential funds, sa tingin ninyo sa level ninyo pa lang ay parang mali na? Kasi alam ko, Mr. Chair, napaka...wala si Mr. Chair. So alam ko, Mr. Chair, napakahigpit natin ano doon sa

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pagba-budget, talagang binubusisi natin saan siya talaga gagamitin. Pero dito sa confidential funds parang naging lenient ba tingin ninyo ang unit ng Budget.

MR. TEÑIDO. Ma'am, kasi iyong physical and financial plan po signed by the accountable officer, noted by the Finance Service Director and then signed by the Vice President, so we merely relied po doon sa content ng physical and financial...

REP. F. L. CASTRO. So, ano bang nakalagay sa physical and financial plan, anu-anong mga activities iyon na bigla kayong na-convince na kailangan nito ng confidential funds, kailangan nito na makapag-hire...

(MS. MARIA LEONOR M. FALZADO TOOK OVER)

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REP. F. L. CASTRO. (Continuing)...kailangan nito na makapag-hire tayo ng mga informant. Mag-ano ng mga safe houses.

MR. TEÑIDO. Ma'am, iyong under PFP po na Good Governance Program, Mr. Chair, and then iyong next column po niya expected outcome is safe implementation of OVP initiatives and confidence building, and then iyong portion po...

REP. F. L. CASTRO. Anong particular na ano iyon? OVP, anong particular na activity iyon para mapatupad iyang sinasabi ninyong programs and projects?

MR. TEÑIDO. OVP initiatives pertains po doon sa mga projects na ini-implement po during that time, Ma'am.

REP. F. L. CASTRO. Doon sa 4th quarter?

MR. TEÑIDO. Opo nung upon the assumption of the Vice President, Ma'am.

REP. F. L. CASTRO. Hindi. Kasi ito, fourth quarter itong pinag-uusapan natin, eh. Anong mga programs ng OVP, Mr. Chair, iyong tinutukoy na magwa-warrant ng 125 million na confidential funds. Ano-ano ito?

MR. TEÑIDO. Based on the PFP, Ma'am, the Physical and Financial Plan, it's only the Good Governance Program.

REP. F. L. CASTRO. Under sa Good Governance Program, anu-ano itong mga program?

MR. TEÑIDO. Wala na pong naka-specify, Ma'am, sa Physical and Financial Plan.

REP. F. L. CASTRO. Well, so, Mr. Chair, doon pa lang talagang nakikita na natin, ano, talagang very lenient. Hindi naka-specify, 125 iyan, Mr. Chair. So hindi ba na-realize ng office ng...iyong unit ng Budget na napakalaking halaga. Don't you think you are accountable dito. Kasi, Mr. Chair, dahil meron ng Notice of Disallowances, don't you think you are accountable to this. Kung sakali na hindi ito ma-justify at ito nga nakikita na natin iyong mas misuse nito, don't you think, Mr. Kevin, you are accountable to this?

MR. TEÑIDO. Ma'am, based...

REP. F. L. CASTRO. Kasi part ka nung...

MR. TEÑIDO. Opo. Based...

REP. F. L. CASTRO. Part ka noong nagpirma doon sa mga budget na iyan at saka noong ano.

MR. TEÑIDO. Based po doon sa joint circular, the accountability of accountable officer would depend doon sa degree of participation.

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REP. F. L. CASTRO. Yeah. Okay. So, hindi, ikaw, tingin mo ba may accountability ka rito.

MR. TEÑIDO. Well, Ma'am, as a Budget Officer, iyung pinirmahan ko po is, ah, na sine-certify ko po na may allotment na na-receive ang OVP insofar as confidential expenses is concerned, Ma'am, which na-release naman po iyung SARO. So that's my basis po to sign na may...

REP. F. L. CASTRO. How about iyung accountability mo noong hindi mo ginamit 'yung iyong, ano bang tawag dito, iyung discernment or iyung inyong pag-analyze saan gagamitin ito kasi doon pa lang talaga magsisimula iyong pagga-grant. Otherwise, hindi na-grant ito kung nabusisi mo nang husto o nabusisi nang husto ng Budget Unit ng OVP ang paggagamitan nito. For...remember, ha, 11 days lang ito na na-implement, itong mga programs na ito, 105 activities, ano, nakalagay dito, ano, na inatenand *(attend)* mismo ng Vice President. Ano-ano itong mga 105 activities na nakalagay diyan? Nakita mo ba ito, iyong 105 activities kung saan-saan?

MR. TEÑIDO. No, Mr. Chair.

REP. F. L. CASTRO. Kung paano. O, di ba. So, talagang, tingin ko, Mr. Chair, meron kang...meron ding pananagutan dito, ano, iyong budget unit dahil sa pag-a-approve, ano, o iyong pagse-certify na merong budget na na-request, ano, kung saan man iyan na request, ano, sa Office of the President, *et cetera*.

Okay. Next, Mr. Chair, thank you, Sir Kevin.

Dito po, Mr. Chair, sa Notice of Disallowance, naka-attention po dito, Mr. Chair, si Ma'am Julieta Villadelrey. Tama po ba? Nakita po ba ninyo itong August 8, 2024 na ND?

MS. VILLADELREY. Yes, Your Honor.

REP. F. L. CASTRO. Yes. So, as a Chief Accountant, ano po iyung papel ninyo po sa confidential funds?

MS. VILLADELREY. As a Chief Accountant, Your Honor, I ensure...in the processing of issuance of cash advance, I ensure that it is covered by allotment, it is covered by approved bonding, there is special order designating the special disbursing officer.

REP. F. L. CASTRO. Okay. Dito kasi... dito kasi, Mr. Chair, sa Notice of Disallowance na may attention si Ma'am...si Chief Accountant Villadelrey, you were, ano, you were asked, you were directed by the COA since you are liable to...I mean, nakalagay kasi dito, ano, may I read? "Please direct the aforementioned persons liable to settle

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immediately the said disallowance. Audit disallowances not appealed within six months from the receipt thereof shall become the final/executory as prescribed under Section 48, N51 of P. D. 1445. So naintindihan ninyo po ba iyong last sentence dito, Mr. Chair, since kasama kayo, ano, sa mga persons responsible. Aside from Vice President Duterte, si Gina Acosta at, unfortunately, Sir, ah, Mr. Chair, si Ma'am Villadelrey, as Chief Accountant, ano, for 34 years. Tama ba? Chief Accountant po kayo ng...for 34 years in the public service. So kung ito po ay talagang mapa-find out natin at magkaroon ng...in the proper forum pa so handa ba kayo, Mr. Chair, na maging responsible dito sa 125 million? Just in case, ano, na hindi talaga ito ma-justify at tingin natin nagkaroon ng misused ng fund dito sa confidential fund, handa ka ba, Mr. Chair?

MS. VILLADELREY. Depending on my participation, Your Honor, on the concerned subject of the disallowance.

REP. F. L. CASTRO. Yes, oo. Kasi kasama ka dito, eh, ano. Malaki iyung papel, Mr. Chair, ni Ms. Villadelrey at ano ba tingin mo iyong puwedeng maging parusa po dito, Mr. Chair, as an accountable officer to this?

MS. VILLADELREY. Your Honor, may I reiterate na ang aking pong participation is for the issuance of cash advance. When it comes to utilization and disbursement, it is the sole responsibility of the special disbursing officer.

REP. F. L. CASTRO. Yes, oo. Pero nakalagay dito...so sa liquidation ba part ka rin nung pagli-liquidate? Kasi inuutusan din kayo dito ng COA, di ba, to liquidate it for the last six months. So, ibig sabihin nuon, ang participation mo, although ini-ensure mo ito ay merong, as you mentioned earlier, pero hindi ba dapat ini-ensure mo rin na iyong paggagamitan ng pera ay tama?

MS. VILLADELREY. Your Honor, ang taking up po ng liquidation sa books of accounts is based solely sa receipt transmittal, stamp received ng ICFAO doon sa transmittal letter ng mga liquidation documents.

REP. F. L. CASTRO. Okay. So, tingin mo, wala kang pananagutan dito sa pondo na ito just in case na magkaroon ng mga kaso or...

MS. VILLADELREY. Personally, Your Honor, none.

REP. F. L. CASTRO. So, personally, wala kang pananagutan dito.

MS. VILLADELREY. Yes, Your Honor.

REP. F. L. CASTRO. Well, I...tingin ko meron, ano. Okay. So hindi na tayo magpapalawig doon, Mr. Chair. At itong...well, ano na po ang status noong liquidation nito

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kasi parang binibigyan kayo ng six months, ano, from August 2024? So ano na po iyung...ay hindi, ilan po bang ano, ilan po ba iyong araw na...or months you were permitted to submit iyong liquidation? 180.

MS. VILLADELREY. One hundred eighty days, Your Honor.

REP. F. L. CASTRO. Okay. Ano na po iyong status nito?

MS. VILLADELREY. I don't have knowledge of the status of the appeal or the reply to the Notice of Disallowance, Your Honor.

REP. F. L. CASTRO. Pero nakapirma ka po dito, eh. Nakapirma ka doon sa ano, eh, at accountable officer ka kaya... according to the COA.

MS. VILLADELREY. Yes, Your Honor. But as read the Notice of Disallowance, the concerned of the disallowance is on the disbursement and utilization of confidential fund.

REP. F. L. CASTRO. Okay. So, thank you, Ma'am Villadelrey.

Mr. Chair, I...thank you po, Mr. Chair.

THE CHAIRPERSON. Thank you.

The Chair would like to recognize the Honorable Congresswoman Janette Garin as the next interpellator.

REP. JANETTE L. GARIN. Thank you, Mr. Chair.

Magandang hapon po sa ating mga resource persons...

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REP. GARIN. (Continuing)...mga resource persons.

Just to clarify, Mr. Chair, I would like to pursue the line of questioning on the possibility that there seems to be a misunderstanding of how confidential funds are being utilized. Kasi sa pananaw ko po ito po ay isang bagay na dapat matuldukan, kung iyong atin ba pong mga empleyado at kawani sa gobyerno ay naiintindihan ang purpose ng confidential and/or intel funds para naman po hindi na maulit ang ganitong mga situation.

So, Mr. Chair, earlier, if I may be allowed to take off from the line of questioning of our distinguished colleague, the Honorable France Castro. Narinig ko rin po kasi kanina noong sinabi ni Mr. Teñido, ni Sir na they were preparing. You were involved, Sir, in the preparation of the budgets, right?

MR. TEÑIDO. Yes po.

REP. GARIN. Yes. Can you enlighten this august body? Can you define confidential funds?

MR. TEÑIDO. Mr. Chair, if I may.

THE CHAIRPERSON. Mr. Kelvin Teñido.

MR. TEÑIDO. Thank you, Mr. Chair.

Based on the joint circular, Ma'am, confidential funds is to be used for the confidential activities, such as surveillance. This is available for civilian government office in relation to the performance of their mandate, Ma'am, Mr. Chair.

REP. GARIN. So, confidential funds will be used for the surveillance activities of civilian government agencies to fulfil their mandate. And when we talk about activities, surveillance activities in relation to confidential funds, does this refer to the regular programs of the agency concerned or does this refer to programs related to insurgency and other threats to national security?

MR. TEÑIDO. It's in relation, Ma'am, with the mandate of the office, Ma'am.

REP. GARIN. In relation to the mandate of the office.

MR. TEÑIDO. Yes, Ma'am.

REP. GARIN. And in this case, we are referring to the Office of the Vice President or DEPED?

MR. TEÑIDO. Office of the Vice President, Mr. Chair.

REP. GARIN. So, which specific mandate? Alin po doon sa mandato ng Office ng Vice President ang nangangailangan ng pondo ng confidential funds?

MR. TEÑIDO. In case of OVP, it is really the operations, the general operations of the OVP and with the...

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REP. GARIN. Can you put your...

MR. TEÑIDO. Sorry.

REP. GARIN. Can you put the microphone nearer po.

MR. TEÑIDO. In case of OVP, this is for the operations of the projects and activities of the OVP, the entirety of the...

REP. GARIN. So, how do you differentiate, Mr. Chair, iyong pondo, iyong pondo for the regular programs of the OVP *vis-à-vis* the confidential funds?

MR. TEÑIDO. Confidential fund or confidential expenses, as we labelled it in the GAA, is part of the overall budget of the OVP. The confidential expense or the confidential fund is not a separate item on top of the...either good governance or socioeconomic program delivery. It is within that program, Ma'am.

REP. GARIN. So, Mr. Chair, distinguished colleagues, ang pagkaintindi ko ang sinasabi po ni Mr. Teñido, itong budget is the regular budget; and ito namang confidential fund is another budget that seems to be an augmentation of the agency budget. Iyan po ang pagkaintindi ninyo, Sir.

MR. TEÑIDO. Can you repeat, Mr. Chair, sorry.

REP. GARIN. Ang pagkaintindi ko po, Mr. Chairman, doon sa sagot ni Mr. Teñido, iyong confidential funds appear to be an augmentation of the existing funds of the department concerned or the office concerned.

MR. TEÑIDO. I can't really say that it is augmentation but it's part of the budget, agency specific budget of one office.

REP. GARIN. So, Mr. Chair, I believe this is where the problem lies. Kasi, tila, pasensiya na po, ano, tila hindi naiintindihan noong mga naghahawak ng pondo kung para saan ang confidential funds. I really didn't want to ask questions. Pero kanina ko pa kasi naririning, Mr. Chair, paulit-ulit. Tila umiikot po tayo, hindi natutuldukan either there is an intention to deviate from what should be discussed; either that is unintentional or intentional. Kasi sa pagkakaintindi ko at sa sinabi naman, inamin ni Mr. Teñido, ang confidential funds ay ginagamit for surveillance activities of civilian government agencies, and that is different from intel funds because it's the same thing, surveillance activities for military personnel and intel practitioners, parang ganoon po.

In other words, ang confidential fund ay gagamitin mo sa surveillance activities ng opisina kaakibat sa mga programa in relation to either terrorism and other activities that pertains to threats to national security. Can you confirm this, Mr. Teñido?

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MR. TEÑIDO. Yes, Mr. Chair. I confirm.

REP. GARIN. So, kinukumpirma ninyo po ang sinasabi ko. Ulitin ko lang, Mr. Chair, ano so that we will be on the same road path.

THE CHAIRPERSON. Yes, please continue.

REP. GARIN. Okay. Linawin natin. Kasi kanina tila ang mga napag-uusapan iyong confidential funds ay pondo sa Departamento ng Office of the Vice President and other civilian agencies that is dealing with specific programs and projects. Pero tila ang nakakalimutan, this is in relation to activities that pertains to either insurgency and other threats to national security. Do you confirm that, Sir?

MR. TEÑIDO. Based on the joint circular, I confirm, Ma'am.

REP. GARIN. Sorry.

MR. TEÑIDO. I confirm, Ma'am, based on the joint circular.

REP. GARIN. So, on the joint circular, mayroong purpose.

So, nasabi ninyo rin po kanina na kayo po ang gumawa ng proposal or justification. If I may quote nga, you also mentioned, "Napakahaba ng proseso ng budget process at hindi madali ang inclusion ng confidential funds in an agency, either the OVP, DEPED or other government agencies." Tama po ba, Sir?

MR. TEÑIDO. Yes, Ma'am. Yes, Mr. Chair.

REP. GARIN. Okay. When you proposed the budget of confidential funds item in the Office of the Vice President, ano po ang specific programs and activities?

MR. TEÑIDO. For Fiscal Year 2023, Mr. Chair, programs, activities and projects or PAPs, it's socioeconomic program delivery; expected outcome; safe implementation of OVP initiatives and confidence-building; and indicator, success indicators for all the quarters of 2023. First is number of identified areas with surveillance conducted and monitored; second, percentage of activities implemented without untoward security-related incidents. This is in reference to the physical and financial plan for Fiscal Year 2023 submitted to the DBM, Ma'am.

REP. GARIN. So, Mr. Chair, doon po sa sagot ninyo, Sir, ano po ang specific item doon that is related to national security threat?

MR. TEÑIDO. There is no expressed, Ma'am, statement on the physical and financial plan and we merely relied on how the physical and financial plan was drafted and approved.

REP. GARIN. Pakiulit po noong sagot ninyo. You relied on how?

MR. TEÑIDO. On how the physical and financial plan was prepared and approved, Ma'am.

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REP. GARIN. Is it not that this is prepared by your office as part of the budget and admin office?

MR. TEÑIDO. No. No, Ma'am. It is prepared by the project accountable officer, based on the template attached to the joint circular.

REP. GARIN. Tapos dumadaan ito sa inyo kasi ikaw ang magpo-propose sa DBM.

MR. TEÑIDO. Kukunin ko na lang po siya, Ma'am, once for submission...

REP. GARIN. Okay.

MR. TEÑIDO. ...to DBM. And once we receive, approved na po ito ng head of agency.

REP. GARIN. So, kukunin mo siya at isa-submit mo sa DBM. Tama po ba?

MR. TEÑIDO. Yes, Ma'am. Yes, Mr. Chair.

REP. GARIN. Kapag kinuha mo siya at isinabmit (*submit*) sa DBM, ano po, talagang parang clerical work lang, hindi mo na nire-review?

MR. TEÑIDO. Well, tsine-check...I'll just check the amount if consistent with the...

REP. GARIN. How about the description...

MR. TEÑIDO. The descrip...

REP. GARIN. ...hindi po ba parte iyan ng iyong trabaho?

MR. TEÑIDO. Yes, Ma'am. But the plan is already approved by the head of agency.

REP. GARIN. So, what is your role then? Kasi salary grade ano po kayo, Sir?

MR. TEÑIDO. Yes, Ma'am. Salary Grade 24, Ma'am.

REP. GARIN. So, kapag Salary Grade 24, nasa magkano po ang...

MR. TEÑIDO. Now po...

REP. GARIN. ...salary plus allowances sa ngayon po?

MR. TEÑIDO. With the latest salary table, nasa 95 po.

REP. GARIN. So, Mr. Chair, we have here a government official receiving approximately 95,000 per month. At ang naririnig ko sa sinasabi po ni Mr. Teñido,

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REP. GARIN. (Continuing)...Mr. Teñido, tinatanggap niya ang papel at pinapasa sa DBM. May we remind our good resource person, pasensiya na po, with position and with responsibility comes accountability. So, I cannot accept the reason na tinanggap mo lang, tapos pinasa mo sa DBM kasi deemed approved na siya. Because if you look at the purposes that were being mentioned, I cannot pinpoint even in the slightest idea the link between national security threat and the PAPs that was mentioned by the Honorable Teñido. Tila po, Mr. Chair, iyong justification is not for confidential funds, it was mere performance of the duties of the Office of the Vice President. At sa pagkakaintindi ko, this runs in contrast to the intention of the specific line item. Tama po ba ako, Sir?

MR. TEÑIDO. I can agree, Mr. Chair.

REP. GARIN. Okay. So, may I ask also Atty. Sanchez?

Ma'am, you came from COA before po kayo napunta sa Office of the Vice President. Let's pursue the same line of questioning. Kapag mayroon pong confidential fund, ang confidential fund by the joint circular is defined as funds...is to fund surveillance activities for anti-terrorism, drugs, or other situations where there is national security threat, and this is performed by civilian agencies.

Okay, coming from Commission on Audit, kung tanggalin po natin iyong iyong position in the Office of the Vice President, when an agency requests for funds from the national coffers of our government, hindi po ba ay mayroong specific na paggagamitan ito?

MS. SANCHEZ. Yes, Your Honor, for the regular fund, it is required to be very specific, Your Honor.

REP. GARIN. Okay. Kapag gumamit ka ng confidential fund, magkaiba ba ito sa pinaggagamitan sa regular activities ng opisinang pinanunungkulan ninyo?

MS. SANCHEZ. Your Honor, it should be different from the regular activities because that is the reason why it has to be separate fund, Your Honor.

REP. GARIN. Okay. And in this case, Your Honor, Mr. Chair, and the honorable resource person, kay Atty. Sanchez, nagawa po ba iyon o hindi?

MS. SANCHEZ. Your Honor, as to the budgeting, Your Honor, based on what was submitted, it is different from the regular programs and projects of the OVP.

REP. GARIN. Ano po ang difference, Ma'am? Because I was hearing earlier, it pertains to...if...Mr. Chair, can we request Mr. Teñido to reiterate his earlier statement.

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My understanding earlier was that you mentioned that when you submit and requested for funding under confidential funds, it was for the purpose of the Vice President being able to accomplish her duties and mandate?

MR. TEÑIDO. Yes, Madam Chair, Mr. Chair.

REP. GARIN. So, what specific mandate are we referring to?

MR. TEÑIDO. This is the operations of the OVP, Ma'am.

REP. GARIN. Which specific operational item? I mean, which specific activity?

MR. TEÑIDO. Yes.

REP. GARIN. Kasi, if we say operations of the Vice President's office, it can actually refer to all the tasks that she performs together with the President. It's quite vague. Sa pananaw ninyo po ba kapag pinapadala ninyo sa DBM iyon, eh, ina-approve o hinahanapan kayo ng specifics?

MR. TEÑIDO. Can you repeat, Mr. Chair, I'm sorry.

REP. GARIN. Kapag kayo ay nagre-request ng pondo sa DBM, hinahanapan ba kayo ng specifics or details, or hindi?

MR. TEÑIDO. Yes, there are instances po that the DBM request for additional documents, additional details.

REP. GARIN. Okay. In this case, ano po ang naging justification? I mean, Mr. Chair, just for the record, I'm not saying that it's disallowed. I am just pointing to the fact na kaya tayo nagkakagulo at nalilito lahat kasi, apparently, it seems that some officials in the particular office are not aware of how they should use or utilize confidential funds, nor are they aware of the difference between confidential funds and/or regular funds of the agency, or MOOE. So, puwede po ba tayong maliwanagan doon?

MR. TEÑIDO. During the request, Ma'am, nag-reply lang po ang DBM with our request to submit a physical and financial plan. The request was submitted on…

REP. GARIN. What was…what was contained in your submission?

MR. TEÑIDO. The one I read earlier, Ma'am, the…

REP. GARIN. Confidence building?

MR. TEÑIDO. Yes, Ma'am.

REP. GARIN. Yeah. So, Mr. Chair, Your Honors, medyo nagugulat po ako kasi sa... Pasensiya na po, Sir, I really don't want…I don't want to mean any harm, but I think this should be corrected kasi you requested, let's say 500 million confidential funds, and the purpose is confidence building. Ano po ba iyon? Kasi

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naririnig ko po iyong confidence building, Mr. Chair, kapag kakandidato ka sa Miss Universe, iyong mga pageant, 'di ba? Parang nagte-train tayo para maging confident sila sa paglakad, sa pagsagot. So, if it is in relation to confidence building in the Office of the Vice President, how do we link this to threat on national security, so much so na gagastos tayo ng limang daang milyon para sa confidence building? Kaninong confidence po ang bini-build up? Sino-sino po ang nagiging participants nito? Ano po ang naging outcome? Naging mas magaling ba iyong ating mga empleyado na nag-underwent ng confidence building? Ano ang naging kakayahan nila ikumpara noong kapanahunan na wala pang pondong ganito?

MR. TEÑIDO. Mr. Chair, for the time...at the time of the request, the indicators reflected in the physical and financial plan are the number of identified areas with surveillance conducted and monitored; and then, the second one is the percent of activities implemented without untoward security-related incidents, Ma'am. This is all in relation to the OVP's activities for all and in all satellite offices, Ma'am.

REP. GARIN. Kaya nga, Mr. Chair. If I may, Mr. Chair. Bumalik po tayo, Sir, doon sa para saan po ba ang confidential funds? Ang confidential funds ay para sa mga activities kung saan binabantayan natin ang kapakanan ng taong-bayan against national security threats kagaya ng terorismo, droga, outbreaks, pandemics. Tama po ba, Sir?

MR. TEÑIDO. I agree, Mr. Chair.

REP. GARIN. Okay. And in this case, ang sabi nga niya is confidence building in targeted areas with no untoward incidents. Pasensiya na po, Sir, kasi masyado pong vague ang sagot ninyo.

MR. TEÑIDO. Yes, Ma'am.

REP. GARIN. And this vagueness can be interpreted, Mr. Chair, in two possibilities: one is that you are avoiding answering the question; or, two, possibly talagang may misunderstanding on how confidential fund should be utilized, and that is why we are in this mess now.

MR. TEÑIDO. Okay, Ma'am.

REP. GARIN. So, alin po doon ang sinasabi ninyong...you mentioned about no untoward...no untoward events or incidents? Ano po'ng untoward incidents ang hinahanap natin sa satellite offices na hindi dapat mangyari na na-curtail or na-prevent ng confidential funds?

MR. TEÑIDO. I cannot give a definite statement, Ma'am, because I just relied with the physical and financial plan and I cannot interpret it in such a way na...

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REP. GARIN. But, Mr. Chair, Your Honor, kayo po ang nagsa-submit sa DBM. Kung ako po ang official na magsa-submit sa DBM, hindi po ba pag-submit ko noon ay nakasaad doon ang mga activities na gagawin at ano ang objective? Hindi ba parang ano'ng tawag doon, PAP?

MR. TEÑIDO. Yeah.

REP. GARIN. Yeah. What does PAP stands for, Mr. Chair?

MR. TEÑIDO. Programs, activities and projects.

REP. GARIN. So, programs, activities, and projects. Kunwari iyong programs, activities, and projects mo doon is counter-insurgency, anti-drug abuse, prevention of outbreaks, epidemics and pandemic, tapos iyong pondo 500 million, 'di ba mayroon iyong specific outcomes? So, ang specific outcomes mo sasabihin mo, "O, walang mga terroristic activities. O, minimized iyong drug use from this percentage to this percentage. O, mayroong nagkasakit pero naagapan, hindi nagka-outbreak." Tama po ba, Mr. Chair, Your Honors?

MR. TEÑIDO. Tama, Mr. Chair.

REP. GARIN. So, ang tinatanong ko, in the case of the Office of the Vice President and, again, this should be required in all other offices, Mr. Chair, in aid of legislation, alin po doon sa sinasabi ninyo ang ganitong pangyayari?...

(MS. MA. LUISA M. RAMIREZ TOOK OVER)

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REP. GARIN. (Continuing)...ganitong pangyayari? Because this is 500 million.

MR. TEÑIDO. Mr. Chair. Yes, Mr. Chair. I cannot give a...I cannot pinpoint which of which ang involved ang confidential activities. But based on the Physical and Financial Plan, it is for the safe implementation of OVP initiatives and confidence building. So, I would surmise that this applies to all the activities or the initiatives of the Office of the Vice President, Mr. Chair.

REP. GARIN. So, Mr. Chair, may we request Mr. Teñido, kindly define confidence building?

MR. TEÑIDO. In my personal or on how it was...

REP. GARIN. As used.

MR. TEÑIDO. As used?

THE CHAIRPERSON. Ma'am, may ia-ano lang po ako, may isingit lang ako.

Bago po ninyo sagutin iyan, gusto ko lang pong malaman, tinaggap po ng DBM iyong justification ninyo?

MR. TEÑIDO. Yes, Sir. After we submit the Physical and Financial Plan, there were no additional comments or additional details that they required for us to submit.

REP. GARIN. Mr. Chair, just to add on to that.

THE CHAIRPERSON. Yes, please.

REP. GARIN. My understanding is that if an agency submits to DBM, may mga attachments po iyon. The mere fact that it refers or pertains to confidential funds, it goes with it without saying that this should be compliant with the Joint Circular on the Utilization of Confidential and Intel Funds. Kaya po iyong mga activities na nakasaad doon, iyong implementation of OVP initiatives and confidence building, should be aligned with the Joint Circular. Ibig sabihin, iyong OVP initiatives na ito, kagaya niyang active surveillance ng mga sakit para walang pandemic, or active surveillance ng mga drug pushers sa mga lugar na iyon, then these are the activities that we are seeing. But it just confuses me. Naglibog ba ako? Nalilibog ako, Mr. Chair, kasi malilito ka talaga dahil ang problema kasi malilito ka dahil hindi naiintindihan noong mga nagpapatakbo ng Office of the Vice President the difference between regular activities and activities in relation to national security threats. Let's say, if we say confidence building, whose confidence are you building?

MR. TEÑIDO. I cannot, ano, Ma'am, I cannot interpret on how it was reflected in the Physical and Financial Plan. Because this was...

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REP. GARIN. But you submitted this to DBM. So, alam ninyo supposedly, or let's say, sabihin na natin doon sa mga activities na ginawa ninyo, on a personal note, and maybe we can also ask Atty. Sanchez because you came from COA. So, if it's about handling activities in the satellite office, although, Mr. Chair, for the record, I do not have objections in the satellite office. The more government offices that we have that can cater to direct services to the people, the better. However, if we are going to use, let's say, kung mayroon tayong social services—burial expenses, food aid, medical aid—kailangan naman talaga ng taumbayan iyan. But the problem is that, if we're going to use confidential funds for this, the fear of duplication is there. Kaya nga bumabalik tayo, saan ginamit iyong pera? Kasi 'pag confidence building, Mr. Chair, kunwari, sasabihan mo ako, "Payat ka. Payat ka," although alam ko namang mataba ako, ang feeling ko, talagang totoong payat siguro ako. But will that have an impact on national security threats? Or is it confidence na sabihin nating tinreyn *(train)* mo iyong mga tao para 'pag nag-gather sila ng information, alam nila na tama iyong impormasyong nakukuha nila. But it leads us to another question. How can you gather information if these activities were confined in a satellite office or a mere office or if it was in relation to distribution of food assistance? In other words, I cannot comprehend. Ni hindi ko matuhog at maintindihan iyong relationship ng purpose. Para saan ba ang perang ito? Ano ba ang pinagkagastusan, aligned ba sila or is this a case of technical malversation?

Iyan lang po, Mr. Chair, ang gusto nating maliwanagan. Because this has to be corrected. So, may we ask, I think, Atty. Sanchez was raising her hand.

MS. SANCHEZ. Yes, Mr. Chair, may I be recognized?

THE CHAIRPERSON. Atty. Sanchez, you are recognized.

MS. SANCHEZ. Thank you, Mr. Chair. Your Honors, my understanding of the term "confidence building" as used in the Physical and Financial Plan is that we, in...the office intends to build that public trust in the government. So, we need to make sure that the services of the OVP reach the public. That's why it is for the safe and successful implementation of OVP programs and services. But...*(Interrupted)*

REP. GARIN. So, Mr. Chair, pasensiya na po. Pero mas lalo akong ninenerbiyos sa mga sagot ni Atty. Sanchez. What you are saying is correct in terms of performing the duties of the Vice President. And this can be given even augmentation funds. But what is its relation to confidential funds that is related to national security threats?

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MS. SANCHEZ. Mr. Chair, my understanding is that the use of the actual fund should be limited with what are provided in the joint circular.

REP. GARIN. And what are the items provided in the joint circular?

MS. SANCHEZ. That would…

REP. GARIN. Please read the specific section, Mr. Chair…

MS. SANCHEZ. Yes, Mr. Chair.

REP. GARIN. …Atty. Sanchez.

MS. SANCHEZ. So, for…under item 4.8, the confidential fund shall be used only for the following confidential expenses: Under 4.8.1, that would be purchase of information necessary for the formulation and implementation of program, activities and projects relevant to the national security and peace and order; under 4.8.2, rental of transport vehicle related to confidential activities; 4.8.3, rentals and the incidental expenses related to the maintenance of safe houses; 4.8.4, purchase or rental of supplies, materials and equipment for confidential operations that cannot be done through regular procedures without compromising the information gathering activity or concern; 4.8.5, payment of rewards to informers for non-employees of concerned government agencies subject to the following conditions: The first one is the approval by the head of agency in the case of LGUs and national government agencies…

REP. GARIN. So, in other words, Atty. Sanchez, iyong binasa mo, iyan ang purpose ng confidential funds, tama?

MS. SANCHEZ. Yes, among two others.

REP. GARIN. How can you relate that to confidence building and making the Office of the Vice President effective?

MS. SANCHEZ. So, under 4.8.1, Mr. Chair, it is allowed to purchase information to be able to formulate and implement programs, activities and projects.

REP. GARIN. Okay. Madam…Mr. Chair, dagdagan ko lang, okay lang po ba? Kapag mayroong confidence building, are you saying that this is synonymous to purchase of confidential information?

MS. SANCHEZ. Not necessarily, Mr. Chair.

REP. GARIN. It's…I believe, Mr. Chair, it's answerable by yes or no. What do you mean by not necessarily?

MS. SANCHEZ. Because there are also other uses, Mr. Chair.

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REP. GARIN. Simplehin lang po natin. Iyong sinasabi po ninyong purchase of information in relation to national security threats, is that synonymous? Pareho po ba iyan sa confidence building in the Office of the Vice President or hindi?

MS. SANCHEZ. It can be, Mr. Chair.

REP. GARIN. How?

MS. SANCHEZ. If the information that was purchased will be used to develop programs...

REP. GARIN. So, how do you purchase information when you do confidence building activities, Mr. Chair?

MS. SANCHEZ. Mr. Chair, the information is purchased to be able to craft programs which would be...*(Interrupted)*

REP. GARIN. Mr. Chair, apologies, but I believe Atty. Sanchez is not answering my question. Napakasimple po ng tanong ko. Ang sinabi ninyo po kanina, karamihan ng 500 million ay ginamit ninyo sa confidence building. I do not have any objection to that. But my question is very specific. Iyong confidence building na iyon, paano iyon naging payment of rewards, gathering of...purchase of information and safe houses? Ano po ang relasyon noong dalawa? Ibig nating sabihin, itong bote, nilagyan ng tubig. So, itong tubig paano siya mailalagay sa bote? Pinor *(pour)* mo iyong tubig, hindi siya lalabas. So, the purpose of the bottle is to contain the water so that it will not spill. In this case, this is the 500 million confidential fund. The purpose of this is to prevent outbreaks, epidemics, national security threats, and to protect the sambayanang Filipino. Ngayon, ano ang relasyon nitong 500 million na sinasabi mo under the joint circular to the confidence building na ginawa ninyo? You're saying purchase of information...

(MR. ALVIN ANTHONY F. RABULAN TOOK OVER)

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REP. GARIN. (Continuing)...purchase of information, safe houses, rewards na pinamigay. Pero sa confidence building ang alam ko niyan mga seminar-seminar, 'di ba, iyong sasabihing, "Kaya mo 'to"...pinapatibay ang loob mo. What is the relationship nitong mga seminar na ito ng mga confidence building activities na ito dito sa goal ninyo na mawala or maibsan ang terorismo sa Pilipinas?

MS. SANCHEZ. Your Honor, as planned, the confidence building would entail that the projects and programs of the OVP are safely implemented...safely and successfully implemented. Because the public...

REP. GARIN. Last question, Mr. Chair. I do hope you will bear with us...

MS. SANCHEZ. Yes...

REP. GARIN. ...Atty. Sanchez.

MS. SANCHEZ. ...Chair.

REP. GARIN. By your looks and by your nature and by your reputation, I know that you have the intellect and the neurons and you know the truth about all of these. Okay, ang sinasabi mo is for the implementation of the programs of the OVP. Are you not referring to the regular budget and not the confidential budget.

MS. SANCHEZ. No.

MR. GARIN. And what differentiates that from each other?

MS. SANCHEZ. Mr. Chair, no, I am not referring to the regular budget.

MR. GARIN. Ano ang diperensiya noon? Kasi, 'di ba, sinasabi mo para ma-implement...o, gumamit tayo ng ibang opisina. Gamitin natin iyong Department of Social Welfare and Development. Ano ba ang mandato ng DSWD? Para maalagaan iyong mga Pilipino sa panahon ng kalamidad, para maibsan iyong gutom, para maiahon iyong mga hirap at umangat sa buhay. Am I correct?

MS. SANCHEZ. Yes.

REP. GARIN. But if they will be given confidential funds, will that be tantamount to accomplishing those programs or objectives? Or is tantamount to saying mayroon silang confidential fund kasi habang tinutulungan nila iyong mahihirap, minamarapat rin nila na walang mga drugs na umiikot doon, walang mga sakit na pwedeng maging pandemic doon. Or walang mga tao doon na nire-recruit na para sa mga illegal and terrorism activities. Tama po ba?

MS. SANCHEZ. Sorry. May I be clarified about the question, Your Honor.

REP. GARIN. Napakasimple po nang sinabi ko. Ito ang DSW...let's say ito ang DSWD, ang mandato nila mamigay ng tulong kapag may kalamidad; tulungan

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iyong mga mahihirap na mayroong pangkabuhayan; iangat sila sa antas ng pamumuhay. That is their regular budget, tama?

MS. SANCHEZ. Yes.

REP. GARIN. Kapag mayroon siyang confidential fund, dahil ang confidential fund is for the purpose of countering terrorism, preventing threats to national security like outbreaks, pandemics and even drugs, gagamitin nila iyan siguro kung andudun sila tinutulungan iyong mga mahihirap na magkaroon din ng information kung sino doon iyong mga nagsu-supply ng drugs. Or isu-surveilance naman nila in terms of disease surveillance kasi baka dumarami iyan at maging outbreak. Tama po ba?

MS. SANCHEZ. Yes.

REP. GARIN. Now, kanina ko pa paulit-ulit na naririnig sa inyo, "To perform the mandate of the Office of the Vice-President"; "To be able to perform the initiatives and confidence building of the Office of the Vice-President". What is the difference in that objective that is different from utilization of the confidential fund?

MS. SANCHEZ. Your Honor, the objective may be the same but the specific items intended to be spent on would be different, Your Honor.

REP. GARIN. So, sabihin na lang natin, can you categorically point to us what specific OVP mandate are your referring to or OVP initiative?

MS. SANCHEZ. Your Honor, as planned, it would pertain to all OVP programs.

REP. GARIN. So, lahat ng OVP activities is related to counterterrorism?

MS. SANCHEZ. Your Honor, that can be related, Your Honor.

REP. GARIN. Please be specific. Alin doon?

MS. SANCHEZ. Your Honor, again, the plan is very general. But in terms of the specific or actual uses...

REP. GARIN. Hindi. Kaya nga, you give us one example. Pasensiya na ha kasi hindi ko rin talaga kasi memorize. Can you explain...can you give us the mandate of the Office of the Vice-President?

MS. SANCHEZ. The mandate essentially, Your Honor, is to provide socio-economic services to the people, Your Honor.

REP. GARIN. So, which in the actions in providing socio-economic services can a national threat happen?

MS. SANCHEZ. Your Honor...

REP. GARIN. Saan, kailan at paano nagiging national threat sa taong bayan ang trabaho ng OVP?

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MS. SANCHEZ. Your Honor, it can also be in the engagements of the Vice-President, Your Honor. But for the specific projects, for example, Your Honor, when we conduct distributions for our projects and in some areas…

REP. GARIN. So, when you conduct distributions, kunwari may namatay, kapag nagbigay ka ng abuloy, tinatanong mo rin iyong namatay, "O, mayroon ba ditong drug pusher?", ganoon po?

MS. SANCHEZ. I have no knowledge, Your Honor, on the specific or the actual use, Your Honor. But it can be…it can also be, Your Honor, part of it.

REP. GARIN. So, kapag nagbibigay ka ng abuloy sasabihin mo, "O, condolence po. So, sino po dito sa palibot ninyo ang nag-su-supply ng drugs?" Parang ganoon po?

MS. SANCHEZ. Your Honor, with regard to the regular fund of the OVP…

REP. GARIN. No, we're not talking about the regular fund. We're talking about the confidential fund.

MS. SANCHEZ. That is possible, Your Honor.

REP. GARIN. Ah. Talaga namang…yeah, so…and then when you provide food aid and medical aid, so this is in the interior areas.

MS. SANCHEZ. Your Honor, I am…

REP. GARIN. Or in the offices?

MS. SANCHEZ. …I am not aware of the actual utilization, Your Honor.

REP. GARIN. And napansin ko na lang din, in all the quarterly utilization it pertains to all the same items—purchase of Information, payment of reward. So, every quarter mayroon kayong binibigyan ng reward.

MS. SANCHEZ. I have no personal knowledge, Your Honor.

REP. GARIN. Who can answer that in your team…in the…among the resource persons here?

MS. SANCHEZ. I don't think there is anyone from us who can answer, Your Honor.

REP. GARIN. What is the process when you release funds? Hindi ba before mo sundan iyon ng…it's cash advance. Tama po ba?

MS. SANCHEZ. Yes.

REP. GARIN. So, kapag nagbigay ka ng cash advance before mo isunod, sisiguraduhin mong na-liquidate or natapos na iyong…so, can you give a reward kung wala ka namang parameters by which a reward can be given?

MS. SANCHEZ. Base on the…

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REP. GARIN. So, tanungin kita. Kunwari ikaw iyong head ng office. Mayroon kang reward na ipamimigay pero wala ka namang parameters.

MS. SANCHEZ. Based on the joint circular, Your Honor, there should be...

REP. GARCIA. No. Not based on the joint circular.

I'm asking you directly as a head of a certain office. Kapag magbigay ka ng reward, ibig bang sabihin noon ay mayroon kang parameters. Let's say, example, magbibigay ka ng reward sa mga estudyante. titingnan mo ba doon, walang absent sa school, ito iyong grade na na-attain. Tama po ba?

MS. SANCHEZ. Yes, Your Honor.

REP. GARIN. So, in this case mayroon kayong parameters kung paano magbigay ng reward. Tama po ba?

MS. SANCHEZ. I am not aware, Your Honor.

REP. GARIN. But then, how can you say that you are giving out rewards every now and then kasi iyon ang naging justification ninyo?

Safe houses, how do you define safe houses, Your Honors?

MS. SANCHEZ. Your Honors, based on the actual utilization, Your Honor, I cannot...

REP. GARIN. On your personal knowledge as a lawyer?

MS. SANCHEZ. Your Honor, safe houses are places wherein you could house your informants or people who would need protection, Your Honor.

REP. GARIN. So, in this case you had informants that you were providing housing on a regular basis?

MS. SANCHEZ. I have no personal knowledge, Your Honor.

So, Mr. Chair, paano po ito kung kunwari walang...nawala ba ang confidential funds ng 2024 or hindi?

MS. SANCHEZ. We do not have confidential fund for 2024.

REP. GARIN. So, paano itong mga nilagay ninyo sa safe houses? Saan sila nilipat?

MS. SANCHEZ. I have no personal knowledge, Your Honor.

REP. GARIN. Unless...unless wala kang ililipat kasi wala naman siyang laman, okay lang iyon. Kunwari may mga safe houses, nag-rent kayo ng maraming safe houses pero walang laman. Kung nawala ang pondo, okay lang iyon. Kasi wala namang laman, Mr. Chair. Pero kung mayroong laman, siyempre kailangan ninyo silang ilipat, 'di po ba?

MS. SANCHEZ. That would be a fair assumption, Your Honor.

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REP. GARIN. So, Mr. Chair, pasensiya na po, 'no, medyo humaba-haba lang because I'm really bothered by the fact that we have not ordinary employees, government officials, who are supposed to be qualified but there seems to be amnesia in recalling or defining the difference between a regular budget and confidential funds. And mas nakakabahala...

(MS. EMERITA E. AVILA TOOK OVER)

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REP. GARIN. (Continuing)...nakakabahala po, Mr. Chair, if pag-uusapan natin ang confidence building, if this is confidence building among our athletes, or among our Miss Universe contestants, okay po iyan, pero hindi ko pa rin po talaga matuhog ang confidence building *vis-a-vis* spending 500 million pesos.

So, with that, Mr. Chair, I hope that as we move forward, the Committee can recommend initiatives by which people in these offices will be reoriented, I'm not sure, if indeed they do not know reoriented, or maybe check into how technical malversation can be prevented in the future. And maybe, Mr. Chair, if...I'm not sure if it's allowable, but can we have the confidence-building activities, a copy kung puwede ma-request sa Committee for the...for the future hearings.

THE CHAIRPERSON. ComSec, please take note of the manifestation of Congresswoman Janette Garin.

REP. GARIN. Mr. Chair, it's...it's a request para lang po maliwanagan tayo kasi baka... I'm requesting, if it's possible, what kind of confidence-building activities led to the disbursement of the confidential funds kasi baka naman...

THE CHAIRPERSON. We will...we will try to write the Office of the Vice President inquiring the meaning of confidence building.

REP. GARIN. Because iyan po ang naging sulat papunta sa DBM which triggered allegedly, as mentioned by Mister... by Sir Teñido, iyong kanilang request for confidence building resulted to the release of confidential funds kaya...

THE CHAIRPERSON. Maybe we can ask the DBM the programs, activities, and projects that the OVM...OVP submitted to the DBM para doon po ma-check po natin talaga kung magma-match po talaga iyong justification nila, and how...how come it was approved by DBM.

REP. GARIN. Yes, Mr. Chair, I rely on your confidence also.

THE CHAIRPERSON. *(Laughs)* Thank you po.

So, are there any other matters that the Members wish to discuss before we suspend the hearing?

REP. FERNANDEZ. Motion.

THE CHAIRPERSON. Kung wala na po, do I hear a motion to...

REP. FERNANDEZ. I move to suspend the...

REP. SUAREZ. Before we move for that, Mr. Chair, I just have a quick manifestation. Unang-una, nagpapasalamat po ako sa apat na resource persons po natin na dumalo po kayo ngayon—kay Ma'am Villadelrey, kay Atty. Sanchez, kay Mister—sorry, the light is shiny against your name—Teñido, and kay Ma'am Rabago.

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So, nagpapasalamat ako sa inyo na nakadalo kayo. It only shows that we don't bite. So, there's nothing to be scared, ano, in attending the hearings. We just want to ferret out the truth. But can I just get a solid commitment from you that when we do have our next hearing and those that we subpoena come and arrive, can you make yourself available and present in that next hearing as well? Yes?

MS. SANCHEZ. Yes, Mr. Chair.

MS. VILLADELREY. Yes, Your Honor.

MR. TEÑIDO. Yes, Mr. Chair.

MS. RABAGO. Yes, Mr. Chair.

REP. SUAREZ. Okay. So, iyon lang, Mr. Chair, gusto ko lang po i-assure na dadalo sila sa susunod na hearing po natin.

And on that note, Mr. Chair... Pare, may sasabihin ka pa?

REP. FERNANDEZ. I move to suspend.

REP. SUAREZ. Okay. I move that we suspend today's hearing. So moved, Mr. Chair.

THE CHAIRPERSON. Is there any second to the motion?

VOICE. Second.

THE CHAIRPERSON. Is there any objection? Hearing none, the motion is carried.

The meeting was suspended at 4:35 p.m.

CERTIFICATION

Certified true and correct to the best of our knowledge and ability.

MA. LUISA M. RAMIREZ
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

ALVIN ANTHONY F. RABULAN
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

EMERITA E. AVILA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

JEFFREY C. OVILLA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

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ERLINDA C. REYES
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

NANETTE A. BUENVIAJE
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

EVANGELINE B. GALVAN-VALENCIA
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

MA. LEONOR M. FALZADO
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

E. Gañalon
EMMA RUTH E. GAÑALON
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)

IVY R. PAREDES-ALCOBER
Legislative Staff Officer VI
(Sr. Legislative Minutes Officer III)